Exhibit 51

Date: June 20, 2008
To: File
From: Kevin DiLibero
Subj: John Welch – Review Meeting

On June 20, 2008 a meeting was held with John Welch to review his concerns and to clarify the expectations of John regarding his unacceptable behavior of failing to communicate while absent despite instructions and his negative comments and baseless inflammatory remarks which will no longer be tolerated.

Present at the meeting were John Welch, Employee Relations Manager, Doug Trandiak, Preload manager, Joe Mero, Division Manager, Steve Wiederhold, and Human Resources Manager, Kevin DiLibero.

I started the meeting by asking John what his issues were. He said that he felt he was discriminated against based on comments that there is "no job" for him. He also claimed that Tom Cuce and Cindy Miller made comments that were discriminating by alleging Miller asked him what medication he was taking, and Cuce allegedly said his medical issue is causing him a problem. John went on to say that he was demoted back in 2000, around the same time the alleged comments were made, because of his disability. John went on to say that his tuition has not been reimbursed and that he was not paid for the month of May.

I told John he has always had a job and that his assertion of being told there is no job for him is false. What he has been told by me is that based on his accommodation requests, we would follow the process and determine whether he meets the standards of ADA and see what job he could do based on available open positions. I told him in the past we may not have a full time supervisor job open immediately and could explore a specialist position for him but that we would first have to assess the ADA request and determine what he could and could not do. Around that time we had a supervisor transfer out of the district from a safety job and we placed John in that position. At no time did John never have a job.

I also reviewed with John and gave him copies of the following Polices:

Vacation Plan – explained to John that vacation time is accrued within the year during active employment. Because he was out from Jan. 11 – June 1, he would not accrue vacation time for that period and would be allotted time based on the formula in the summary plan.

Income Protection Plan – I gave John a copy of this plan concerning STD and LTD and reviewed the points that lead to a termination of benefits. I explained to John that he was not paid for the month of May because he did not provide Aetna with medical documentation and they closed his claim. I also explained to him that Aetna closed his claim after April 16th, but he got paid for the entire month of April which should not have happened. I told John he has the right to file an appeal with Aetna concerning his claim and encouraged him to do so.

Tuition Reimbursement – I gave John a copy of the guidelines off the web site which explains that eligibility for tuition reimbursement is based on active employment.

John also claimed that he was forced to go out on disability. I told John that is false. I reviewed documentation from Mike Ridolfi, who was handling his case that showed John was repeatedly asked to provide doctors notes in reference to his ADA request but failed to do so. I reminded him that there is a string of documentation that I reviewed with him on Jan. 31, 2008 that showed John failed to follow through the requests to process his ADA request. What's more, John went out of work on Jan. 11, 2008 for a medical procedure and did not return to work until June 2, 2008. There were numerous attempts to work with John but he failed to respond to repeated requests to contact Mike Ridolfi, Irene Gordon, and his immediate manager, Bob Rizzo.

I told John his behavior of being unresponsive is unacceptable. Despite repeated attempts to contact him by the above mentioned people, he failed to return calls and was uncooperative. I reminded him of our meeting on Jan. 31, 2008, when I instructed him to remain in contact and be responsive and cooperative. Despite these instructions, John failed to return correspondence and I told him that will not be tolerated. As a UPS employee, I reminded him of his obligation to follow through with our reasonable requests of communication. Additionally, I reviewed some of Bob Rizzo's memos concerning John's attendance and the problem of him leaving work and not returning without any notification. I told him that his lack of responsibility of not communicating with his manager is unacceptable and it can not happen again or he will be disciplined.

I told John upon his return to work we placed him on the Nassau Preload because of a business need and the position can meet his accommodation request. Specifically, the request from his doctor indicates the following:

1. Work limited to nine hours a day
2. No operating heavy machinery.
3. No operating a UPS package car
4. No lifting packages more than 40 pounds

I told John that as a preload supervisor we can accommodate him based on the above requests. John's Managers, Joe Mero, and Steve Wiederhold agreed. I told John that he must work within his doctor's restrictions. I instructed him that he can not deviate from these restrictions. I told him in the past he has exceeded his hour's restrictions and has performed work outside his restrictions on his own volition, and then charge that he is not working within his restrictions and exceeding his hours. I told John this practice is unacceptable and I told Joe Mero to document any instance in which John works outside the restrictions outlined. John said he understood. Moreover, I told John his job is to supervise employees and he will be accountable for results and held to the same standards as any other management person. I told Joe Mero to meet with John to establish his business element goals on his evaluation (QPR) and to set up a career development discussion.

I also reviewed with John that he is making negative remarks and inflammatory statements in referencing UPS, the HR department, and me that are false and maligned. I had Steve Wiederhold read a write-up from Manager, Chris Travaglia of what John said to him concerning Jim Kirk and I. (Write-up in file) I told John that comments like this will not be tolerated and that disciplinary action will be taken for any negative comments against the business or any slanderous remarks against individuals. Additionally, in his April 2008 letter to me, John states that I "have refused to make reasonable accommodations as required under the Americans with Disabilities Act." I told John this is blatantly false. That I have gone above and beyond with trying to work with him and providing him with a job that can meet his requests. It's his own lack of cooperation that has interfered with getting him to work. At no time did John ever not have a job or lose his status as a management person.

To review with John our expectations concerning his behavior and performance the following points were recapped.

1. Instructed to work only with the doctor's restrictions of:
    a. Nine hours per day
    b. No operating machinery
    c. No operating UPS vehicles
    d. No lifting packages greater than 40 pounds

2. John must keep his immediate manager informed at all times. He can not remain out of work without a valid medical reason. He must stay in contact with his manager and provide the necessary medical documentation as requested by UPS/Aetna medical personnel per the guidelines.

3. He must follow management instructions and failure to do so will lead to disciplinary action.

4. He must refrain from inflammatory maligned remarks that are untrue and harmful to the business. His negativism will not be tolerated.

Following this I told John that Doug Trandiak, and I would now meet with him privately without Joe Mero, and Steve Wiederhold to discuss his allegations of discrimination outlined in his April 2008 letter that went back to 2000. I began by telling John we looked into his allegations by having Doug contact HR Manager Craig Owen, Division Manager, Tom Cuce, Manager, Tom Soregaroli, and District Manager, Cindy Miller. I told John that I spoke with Security Manager, Dan Daly concerning John's demotion in August 2000. Dan gave me the document concerning John's demotion as manager which shows that John's demotion was justified based on a serious service failure investigation of his operation as the result of 152 damage inspection reports not being processed. I told John that there was documentation that warranted the employment action of a demotion for his failure to control his operation and in no way was this action discriminatory. Doug Trandiak said he spoke with Craig Owen who said he was not the one who demoted John, as John indicated in his letter, but was probably his division manager. Doug also reviewed with John his communication with Tom Cuce, Tom Soregaroli, and Cindy Miller who all denied any discriminatory treatment towards John. I told John that our follow-up does not show any discrimination in his past treatment or was any formal complaint filed. I then asked John that he wrote in his letter "that a reliable source in HR said there is an on-going effort to administratively terminate" him. I asked John who said that. He first said he did not want to say, but I told him he must since this is an investigation to his claims. He told me that at a retirement party Risk Manager, Fred Ausili said that "there is nothing more that Kevin DiLibero would rather do than to administratively terminate you." I told John I would be following up with Fred concerning this. Later, I met with Fred Ausili in Melville to discuss this, and Fred said that is not true. He did mention to John that if anyone is out of work for more than a year they are administratively termed.

In conclusion, I told John that the references he made to past discrimination were unfounded. I also told him that presently we are trying to work with him, and help him. I said he has 21 years of experience with UPS and that he can be a very productive management person if he is willing to cooperate. I asked John if we are moving forward with this in a positive way. He said, "yes", and we all shook hands and agreed that we would work together on this and move forward.

Exhibit 52

July 2, 2008

To: Kevin Dilibero
Fr: Fred Ausili
Re: John Welch

As per our discussion the conversation with John Welch did not occur as described to you by John Welch and his lawsuit.

I did see John at a retirement party early in 2008 and I explained to John that he needs to get back to work because after one year on disability the company will administratively terminate him from his employment at UPS. I also added that administration termination is policy and falls under Kevin Dilibero's responsibility. He stated he understood.

Sincerely,

_________/s/___________
Fredrick M. Ausili

Exhibit 53

3

From: Gordon Irene (MCK4KQV)
Sent: Friday, January 30, 2009 3:27 PM
To: dilibero kevin (wne2kxd)
Subject: FW: John Welch

From: Gordon Irene (MCK4KQV)
Sent: Friday, January 30, 2009 3:25 PM
To: 'John Welch'
Subject: RE: John Welch

I write to respond to your email below as well as your email of January 22, 2009. First and foremost, I am very sorry to hear that you have fallen on hard times. As I previously have explained, everyone at UPS wishes nothing but the best for you. With respect to your email of January 26, you re-raise numerous allegations that already have been fully reviewed and addressed by the Company. I refer you to various of your meetings with Company personnel, including your meeting with Kevin DiLibero and Doug Trandiak on January 31, 2008 and your meeting with Kevin, Doug, Joe Mero, and Steve Wiederhold on June 20, 2008, as well as to various written correspondence you have received from the Company. It is not productive to revisit each of these issues here. I do want to address the reason you have not been paid for recent weeks: At present, your absence from the Company is unexcused. You failed to show up for work on January 5, 2009 and we went weeks without hearing from you. The only communication we received was from your girlfriend, who claimed you were being hospitalized at a VA Hospital with no access to telephones and no other means of communicating with the Company. We have not received any documentation confirming this representation. John, this is not the first time you have failed to show up for work unexpectedly without contacting the Company and without providing appropriate documentation. On prior occasions, we have given you the benefit of every doubt, and even have paid your full salary for weeks or even months on end despite the unexcused nature of your absences. This time, before we can process your return to work, we will need written documentation from the VA Hospital showing your dates of admission and discharge, and confirming that you could not reasonably communicate with us through your hospital stay. This documentation can be sent to me at 75 Smith Street Farmingdale, NY. 11735. With respect to your claims for short-term disability, we remind you, again, that Aetna –and not UPS –handles such claims. If you have documentation you wish to submit in support of your STD claim, this information should be sent to Aetna, not UPS. Your claim number is 1414154, and Aetna can be reached at 1-866-825-0186 if you have any questions. John, I again want to extend best wishes from the entire UPS family. If you have any questions, please feel free to contact me. Sincerely, Irene

From: John Welch [mailto:nymarine1@yahoo.com]
Sent: Monday, January 26, 2009 3:17 AM
To: TRANDIAK DOUG (CNY1DXT); dilibero kevin (wne2kxd); Gordon Irene (MCK4KQV); promero@laborlaws.com; nfrank@laborlaws.com; Ridolfi Michael (NYC2MXR)
Subject: John Welch

I am sending this message out to the powers to be in the Human Resources Department of the Long Island District. Kevin Dilibero - Human Resources Manager Douglas Trandiak - Employee Relations Manager Irene Gordon - Occupational Health and Safety. I am absolutely on my last leg and have exhausted all efforts to be treated fairly. I have some pressing questions that need to be addressed. I will also make it very clear to you that this is being shared with my attorney. For beginners, I have been homeless and have had to nourish myself at the Christ the King Parish food pantry in Commack. My pay is being garnished obviously through an income execution order for a divorce settlement, and the remaining income is sparingly used to sustain myself. I have asked for support from you Kevin and yet you choose to only attack me on each occasion, gathering your whole staff in a conference room and summoning me unsuspectingly at 5:00 in the morning. I have always been willing to do my job, and in fact, have done so above and beyond the call of duty. My reputation is second to none with regard to my quality of service and dedication to the corporate goals and mission. Each time I complain about mistreatment, discrimination or bring attention to the fact that I am being denied benefits, you gather your team and attack me without representation. I will no longer communicate with you without the legal support your behavior facilitates. I do not appreciate being surrounded by members of the management team I once called partners, who have now taken up arms against me in an effort to cause me to suffer instead of addressing the discriminatory remarks and actions of others, who you choose to protect. Kevin, your mistake is for having made this choice to protect those that have violated the law, in lieu of standing for what is just and righteous by standing in my corner. You have deviated from the principles of the highest traditions of our company policy; "People", "Our Most Valued Asset". This can not be undone Kevin. You have even told me "I don't have a job for someone like you". Well, someone like me is someone perhaps you have never met before Kevin. Someone like me is the person who is going to hold you accountable, either willingly or through judicial intervention. I will stand before any court or jury of my peers, for the only thing I have done wrong is to get sick. Doug, as the Employee Relations Manager, I need some help understanding a few things. Maybe you can clarify them for me. First of all, last year I was denied two months pay. I was also denied the tuition reimbursement that I was promised. The total loss of wages and tuition equals $18,620. I was not paid for the month of April, but I never asked to be out of work. I was told by Mike Ridolfi that if I could not work the excessive hours, even after being provided a reasonable accommodation under the guidelines of the ADA, that I was not allowed to work. Hence, the decision for me to be out of work was not made by me, but by Mike Ridolfi, an officer of the company. You told me that I was not eligible for vacation and that I could not take them until they were accrued. You gave me the literature explaining the guidelines. Well, I was not able to take all my vacation weeks last year. Being that they can not be "rolled over" to the new year, why was I not paid for these weeks? I am owed four weeks of vacation. On another note, the 2009 Vacations are to be picked in seniority order by the end of November 2008. Why was I not afforded the opportunity to pick my 5 vacation weeks for 2009? Could it be because I am "perceived" as an employee with a disability that will result in my absence from work? I believe this to be true, as it was mentioned to me by Dave Mazzolla, also the same man who denies having been contacted by me regarding my disability status in August 2008, which can be verified through my phone records. I am certain that I am the ONLY person in the district, including over 5,000 UPS'ers that has yet to make his vacation picks for 2009. Correct me if I am wrong. Vacation schedules go out on November 1st. They go final on November 30th, and they are posted on December 1st. When an employee is next in line to pick because of his/her seniority, all others have to wait until he/she is contacted; even if he/she is on compensation, disability, or vacation. Usually a phone call is made so this can be done.Why was I not contacted? I am assigned to SLIC 1181, therefore I am the highest tenured supervisor. I would also like to know how you can refuse to pay me for two months in 2008 AND refuse to give me my vacation pay for 2008? Do I just lose them both? As I see it, I should be paid for the two months you didn't pay me, and the vacations I never took. I have appealed through Aetna for the pay and have been denied, but you would already know that I am sure. I have always said there are only two reasons why something doesn't get done; The employee didn't know, or the employee didn't care. Having eliminated the didn't know part, I can only assume that the Human Resources Department just doesn't care. I think it is very important to note that when I became dizzy on the preload back in April 2007, and fell and struck my head, the only response I got from Mike Ridolfi was, "I am going to have to contact our Legal Department to see if we still have a job for you". Mike also mentioned to me that I needed to fill out yet another ADA request at that time. When asked why, since I had completed one in 2005, Mike responded by saying, "We dropped the ball on that one". Well, that "WE" would not include "ME". Mike made it very clear to me that he was an officer of the company and had to verify if I still had the job I was doing for the past 22 years. Somehow it seems to me that many of the issues we are having in this district revolve around the Human Resources Department not doing THEIR job! By the way, I have been experiencing headaches throughout the past few years that can only be attributed to that fall. I have never gone on record, and could not at the time because of the fear and intimidation bestowed upon me by Mike Ridolfi. I am no longer going to walk on egg shells. Another question I have for you is this Doug; How come when I am summoned to these "everyone against me" meetings, you never talk to me or prepare me as the "Employee Relations Manager" should? You sit across the table and take notes, which in my opinion are inadmissible, as they are not signed or is it a sworn statement in the court of law, meanwhile I sit alone under the barrage of Kevin Dilibero and his collective staff. There is something else I need to make you well aware of Doug. This peak season I was assigned to the MSD Unit on PD12 of the Nassau Preload. I hope you know that not only was I required, but instructed to handle packages. Joe Mero and Steve Weiderhold did not make these statements, but they were present when Preload Supervisor Larry Deck told me that I had to "Break Jams". Breaking Jams was not the word to explain the total lack of concern for our business at that end of the building. I told you all long ago that your job was to protect me by not putting me in a position to have to do this type of work. I am a Marine by nature, and having grown up in an abusive household, never feel like I have done enough. You put me once again into the fires and leave me for dead on PD12. My Doctor specifically told you that the requirements of the job is putting me at considerable risk for sudden death. Should that not warrant the desire to do the right thing for a man that never said no to the organization he loves. Incidentally, the arrhythmia's I experienced were during the hours in which I was required to "break jams". My recent absence from work was caused by some arrhythmia's I was having in the atrium of my heart. I transmitted my heart data via remote to my cardiologist. Upon seeing this disturbance, I was summoned to his office. While they would like to do surgery, they feel that my heart would not tolerate such a procedure. I have lost two brothers at a young age from this illness. I remember the days when a management person was out of work due to a serious illness and they would be swamped with phone calls from well wishers. Somehow, I never expected to hear from Kevin or anyone else from the HR Department. I am feeling betrayed even more when I checked to see my pay for January. Of $ 7,610.00 dollars I bring home a grand total of ZERO dollars. This bring my loss in wages in the last year to a grand total of $26, 236.00 dollars.I have medical proof of this absence, and have forwarded it to the Melville Human Resource Fax at (631) 756-3838. Having worked there I know how well the fax machine is policed with regard to incoming transmissions of medical information and doctors notes. I have proof of the transmission being received. I also sent a letter asking that my United Way contribution of $ 62.50 per month be stopped immediately. I think for me to contribute $750.00 per year is ridiculous since I am no longer able to survive. I do not want to ask that this be done again. I also expect that the monies that was deducted in January be credited to my next paycheck forthwith. I know I have asked you these questions before, but I am going to ask them once again. Perhaps you need to revisit these people, since the complexity of this endeavor has grown beyond the walls of UPS. I don't expect a response, as I now know the Employee Relations Manager's job is not to protect the employee, but the organization. I am going to give you the chance to not respond, as I know you will only respond with silence. Tom Cucce - I informed you that he told me that my disease was giving him a problem. He brought me behind closed doors in the Foster Avenue Division Manager's office and told both myself and Paul Turner that our diseases were causing him a problem. He held his hands out to his side's palms up, replicating a scale. As one hand went up, the other went down. His words still ring clear in my mind; "I have a choice to make, do I feed my kids or do I feed yours? He repeated himself again. The he told me, "I am going to feed mine". I don't have a job for you". "Go home". I know he refused to accept responsibility for this statement, but I was not alone in that office. Why did you not get back to me and tell me what your conversation was with Paul Turner? I have not seen Paul Turner since then, and I was curious to know his response. When we were kicked out of Tom Cucce's office that day I told Paul to remember this conversation. Paul, a diabetic was denied DOT medical clearance to drive commercial vehicles. That is where the relationship between him and Tom Cucce became strained. I simply needed to take two days off to be evaluated in a hospital. This was an opportunity for the organization to become our hero. Instead, they failed us. Paul and I worked tirelessly for years, but when our health went bad, so did the perception of the organization for us. Tom Soregeroli - He called my house as if in concern about my health. He felt I was "out of it", and that my medicine was effecting my intensity. My wife was pleased that he was concerned at the time. She freely shared information with him that has been used against me. Being that his line of questioning was not personal in nature, I am to assume that it was professional in nature. This information was brought to the Division Manager at the time, Cindy Miller. Tom violated my HIPA rights by doing so. My wife, who I am now divorced, has nothing to gain by testifying to the fact of his questioning. Tom denies having spoken to my wife, and maintains that he doesn't even know her! My wife is ready to to testify to his outright lie! Cindy Miller - Upon being informed by Tom Soregeroli about his "perceived" belief that my medication was effecting my intensity, Cindy summoned me to her office, whereupon she asked me about the medicine and it's effects. She wrote the name of the medicine down and said she would investigate. I never heard back from her. Cindy claims to recall the conversation when questioned by you, but she said that I told her that I was a Marine and that I was not going to take the medicine anymore. While the second half of her story is absolutely false, she does confirm having had the conversation. Her response now discounts Tom Soregeroli's story. How would Cindy have known this without Tom having told her, and after getting that information illegally from my wife. Someone is lying, and Cindy proves that Tom did come to her with that information. I respect Cindy for telling at least a partial truth. Tom was a Supervisor that reported to me at the time. He felt he was next in line for the Manager's job of the Kensington Center. When this didn't occur, he chose to slander himself after illegally drawing my wife into his web built of lies. Gerrais Gary - I know he doesn't work for the company anymore, and perhaps I should reach out for him myself. He replaced Cindy Miller and within a few short weeks, I was busted from manager to supervisor without provocation. He could not look me in the eye when he did so. I knew he was not the decision maker. He had to carry out the act. The then, Human Resource Manager, Craig Owen, upon being asked by me to furnish a written factual document for the reason I was being busted, replied "We don't do that". Is this not a company that is built on integrity? How does a manager who was being applauded for monumental gains in productivity and safety on the corporate bulletin board wind up being summoned to his demise, and not given at least an explanation? It has been almost 9 years since I was busted, and my family and I have had to endure the loss of income attributed to that demotion. Despite all, I continued to do my job. While I know that the Federal Motor Carrier Safety Regulations (FMCSR) prohibits anyone with a defibrillator from operating a commercial vehicle, a certain Division Manager felt it necessary to inform me that I had to go get DOT Medical clearance. The device is implanted to prevent against arrhythmia's that may cause sudden death. Upon shocking the heart they bring about an episode of syncope, or a blackout. Driving a UPS vehicle is not where you want to be when this occurs. When I was assigned to the Island City Division in Melville, Division Manager Jim Kirk told me to go get my DOT card. I informed him that I was prohibited. He insisted I go anyway. I proceeded to DocCare on Fresh Pond Road. I met with Dr. Bigman who denied me medical clearance. He even pointed to the verbage in the FMCSR which clearly stated that I was prohibited. Upon returning to the building and informing Jim Kirk, he told me to go to another doctor. I once again followed his instructions. I then proceeded to Dr. Ciuffo's office at 7301 Grand Avenue. Dr. Ciuffo, a long term approved UPS medical provider was not in at the time and his P.A. performed the physical. I divulged all my medical history in detail. She gave me the DOT clearance anyway! She failed to recognize the laws regarding implanted defibrillators. I returned to the building with my DOT medical clearance. I refused to operate vehicles despite having the card. With knowledge comes responsibility. Under duress, I followed the orders of yet another man who puts the needs of the organization ahead of the individual. On a separate note, upon Jim Kirk's arrival to the building as the newly appointed Division Manager, he felt it necessary to stop me while I was working and asked if I was "Queer". I didn't understand his question so I begged his pardon. He pointed to a necklace that I wore; my daughter had made it in school. It was a colorful red beaded necklace. I paid honor and respect to my daughter by wearing it. What father wouldn't? The next day he again stopped me and inquired about the necklace once again. He was in the presence of other high level management people and chose to challenge me further. He then asked if I was going to come to work with a red dress and pumps on the next day. This behavior is not exactly what one would expect from a man in his position of authority. I must mention this because of the environment of abuse that I received in recent years has become a link to the abusive household I grew up in. I have gone to therapy over the years to put down the demons of my past, only to have them brought to life in my place of business. If Jim Kirk "perceives" that I am a homosexual, then I have been discriminated against in that regard as well. I am a man of good character and unparalleled reputation; even among the rank and file union employees. I stand strong in my beliefs and always do what is right. I do for others, even at my own expense! I am an excellent trainer and consummate professional. I have a code of ethics and loyalty that has only been severed by the actions of those who I have mentioned here. I will do whatever is necessary to achieve satisfaction to my problems. I have embarked on legal measures, but have not ruled out the support of the Veterans Administration, Marine Corps, media, press, and political intervention as well. I may not be a sophisticated legal mind, but I can stand before God and explain the depth of which I have been wronged. I have the intestinal fortitude to stay the course, for I have only done one thing wrong; I got sick! I will take a lie detector test and I wonder if the aforementioned will be willing to do the same. I am seen as the source of the problem here. You need not look further than within the confines of this statement to find the smoking gun! Your choice is to either to admit it or to have me reveal it for you. I have had it with this adversarial and abusive relationship. It ends either through choice or by circumstances defined by the facts that WILL be revealed. I will tell you this though, when the day of reckoning comes, there will be bus loads of people from UPS willing to bear testimony to my character and reputation. I have the heart of a lion and the respect of many for never having sold my soul. Tomorrow I will be going to turn the plates in on my vehicle, as I can no longer pay the insurance. I expected to be paid this month, and true to form, I was failed once again. My insurance expires on Midnight of the 26th. It doesn't matter anymore since the water pump went on it this week as well. It was my home. I used it for shelter and warmth. I was going to have the water pump fixed as well. I want to thank you for once again revealing how appreciative you have been for my years of service. The eight years I spent in the Marines doesn't even make me eligible for the constitutional rights I fought to protect, and are now being denied. In the past I have heard words, but have yet to see action. I will see this through to the end for the many that have been afraid to embark on such an endeavor. Perhaps by some chance, it may be my attempt to also regulate our organizational behavior. "Doing the right thing" often goes far beyond the letter of the law. "Good morals, if they are to be maintained, have a need for laws, and the laws, if they are to be observed, have a need for good morals. I ask you and your legal department to seek truth within this whole quagmire, for in the truth lies the morality and the foundation of law! I would rather carry this through and fail than to be silenced, bullied, or discriminated against any further. My daughter Rachel, who was only 11 at the time was selected to play on a travel softball team. She was probably the best player on the team. She was minimized by a coach who had ulterior motives. Rachel was new and her daughter, along with the rest of the politically connected click treated her like an outsider. We approached the coach and she said that she would not change her game plan. I told Rachel that I would not think less of her if she chose to bow out gracefully, as she was never going to be treated fairly. Rachel looked me in the eye and said that it was a special team and that she would accept her role. If she had one at bat she was going to do her best to drive it deep. If she had one chance to make a play she was going to dive and nearly kill herself if she had to. She spent most of her time looking through the chain link fence while the other girls played. She would put her head down and kick the dirt with her cleats. Her face was sad but she had resolve. I can't tell you how many times I cried through my fingers as I covered my face, watching her pain. That 11 year old girl taught me how to have the heart of a lion. It wasn't the Marines! Rachel taught me that the strongest man in the world is the one who stands most alone. I have two other children with special needs, but you would never know that, as I never remove the mask I wear. My youngest has the same heart problem I have, and we had to invest in an external defibrillator should she be encountered with sudden death. Their father, who they have grown to love and respect, has given all he has to an organization that has fired him, but has yet to find a way to make it happen. Their love for me will stand long after I have fallen. My strength will come not from my physical capacity, but from my indomitable will. This will be revealed with the support of my "Legal Department". It realy is a shame that the truth can not be told. Why is everyone so afraid? There is nothing to fear except the refusal to find out the truth, or at least the persistent refusal to analyze the cause.

Exhibit 54

REDACTED

rom: John Welch [mailto:nymarine1@yahoo.com]
ent: Monday, January 26, 2009 3:17 AM
o: TRANDIAK DOUG (CNY1DXT); dilibero kevin (wne2kxd); Gordon Irene (MCK4KQV); promero@laborlaws.com; frank@laborlaws.com; Ridolfi Michael (NYC2MXR)
ubject: John Welch

I am sending this message out to the powers to be in the Human Resources Department of the Long Island District.

Kevin Dilibero - Human Resources Manager
Douglas Trandiak - Employee Relations Manager
rene Gordon - Occupational Health and Safety.

I am absolutely on my last leg and have exhausted all efforts to be treated fairly. I have some pressing questions that eed to be addressed. I will also make it very clear to you that this is being shared with my attorney. For beginners, I a[illegible]been homeless and have had to nourish myself at the Christ the King Parish food pantry in Commack. My pay is eing garnished obviously through an income execution order for a divorce settlement, and the remaining income is paringly used to sustain myself.

I have asked for support from you Kevin and yet you choose to only attack me on each occasion, gathering your whole staff in a conference room and summoning me unsuspectingly at 5:00 in the morning. I have always been willing o do my job, and in fact, have done so above and beyond the call of duty. My reputation is second to none with regard o my quality of service and dedication to the corporate goals and mission. Each time I complain about mistreatment, liscrimination or bring attention to the fact that I am being denied benefits, you gather your team and attack me without epresentation. I will no longer communicate with you without the legal support your behavior facilitates. I do not ppreciate being surrounded by members of the management team I once called partners, who have now taken up arms gainst me in an effort to cause me to suffer instead of addressing the discriminatory remarks and actions of others, who you choose to protect. Kevin, your mistake is for having made this choice to protect those that have violated the aw, in lieu of standing for what is just and righteous by standing in my corner. You have deviated from the principles of the highest traditions of our company policy; "People", "Our Most Valued Asset". This can not be undone Kevin. You have even told me "I don't have a job for someone like you". Well, someone like me is someone perhaps you have never met before Kevin. Someone like me is the person who is going to hold you accountable, either willingly or hrough judicial intervention. I will stand before any court or jury of my peers, for the only thing I have done wrong is o get sick.

Doug, as the Employee Relations Manager, I need some help understanding a few things. Maybe you can clarify hem for me. First of all, last year I was denied two months pay. I was also denied the tuition reimbursement that I was promised. The total loss of wages and tuition equals $18,620. I was not paid for the month of April, but I never asked to [illegible]t of work. I was **told** by Mike Ridolfi that if I could not work the excessive hours, even after being provided a easonable accommodation under the guidelines of the ADA, that I was not allowed to work. Hence, the decision for me to be out of work was not made by me, but by Mike Ridolfi, an officer of the company. You told me that I was not eligible for vacation and that I could not take them until they were accrued. You gave me the literature explaining the uidelines. Well, I was not able to take all my vacation weeks last year. Being that they can not be "rolled over" to the ew year, why was I not paid for these weeks? I am owed four weeks of vacation. On another note, the 2009 Vacations re to be picked in seniority order by the end of November 2008. Why was I not afforded the opportunity to pick my 5 acation weeks for 2009? Could it be because I am "perceived" as an employee with a disability that will result in my b[illegible]e from work? I believe this to be true, as it was mentioned to me by Dave Mazzolla, also the same man who enies having been contacted by me regarding my disability status in August 2008, which can be verified through my hone records. I am certain that I am the ONLY person in the district, including over 5,000 UPS'ers that has yet) make his vacation picks for 2009. Correct me if I am wrong. Vacation schedules go out on November 1st. They go nal on November 30th, and they are posted on December 1st. When an employee is next in line to pick because of is/her seniority, all others have to wait until he/she is contacted; even if he/she is on compensation, disability, or acation. Usually a phone call is made so this can be done. Why was I not contacted? I am assigned to SLIC 1181, ıerefore I am the highest tenured supervisor. I would also like to know how you can refuse to pay me for two months ı 2008 AND refuse to give me my vacation pay for 2008? Do I just lose them both? As I see it, I should be paid for ıe two months you didn't pay me, and the vacations I never took. I have appealed through Aetna for the pay and have een denied, but you would already know that I am sure. I have always said there are only two reasons why something oesn't get done; The employee didn't know, or the employee didn't care. Having eliminated the didn't know part, I can nly assume that the Human Resources Department just doesn't care.

I think it is very important to note that when I became dizzy on the preload back in April 2007, and fell and struck ıy head, the only response I got from Mike Ridolfi was, "I am going to have to contact our Legal Department to see if /e still have a job for you". Mike also mentioned to me that I needed to fill out yet another ADA request at that time. Vhen asked why, since I had completed one in 2005, Mike responded by saying, "We dropped the ball on that one". Vell, that "WE" would not include "ME". Mike made it very clear to me that he was an officer of the company and had) verify if I still had the job I was doing for the past 22 years. Somehow it seems to me that many of the issues we are aving in this district revolve around the Human Resources Department not doing THEIR job! By the way, I have been xperiencing headaches throughout the past few years that can only be attributed to that fall. I have never gone on ecord, and could not at the time because of the fear and intimidation bestowed upon me by Mike Ridolfi. I am no)[illegible] going to walk on egg shells. Another question I have for you is this Doug; How come when I am summoned to ıese "everyone against me" meetings, you never talk to me or prepare me as the "Employee Relations Manager" hould? You sit across the table and take notes, which in my opinion are inadmissible, as they are not signed or is it a worn statement in the court of law, meanwhile I sit alone under the barrage of Kevin Dilibero and his collective staff.

There is something else I need to make you well aware of Doug. This peak season I was assigned to the MSD Unit ın PD12 of the Nassau Preload. I hope you know that not only was I required, but instructed to handle packages. Joe /lero and Steve Weiderhold did not make these statements; but they were present when Preload Supervisor Larry Deck old me that I had to "Break Jams". Breaking Jams was not the word to explain the total lack of concern for our ıusiness at that end of the building. I told you all long ago that your job was to protect me by not putting me in a ıosition to have to do this type of work. I am a Marine by nature, and having grown up in an abusive household, never eel like I have done enough. You put me once again into the fires and leave me for dead on PD12. My Doctor pecifically told you that the requirements of the job is putting me at considerable risk for sudden death. Should that not varrant the desire to do the right thing for a man that never said no to the organization he loves. Incidentally, the ırrhythmia's I experienced were during the hours in which I was required to "break jams".

My recent absence from work was caused by some arrhythmia's I was having in the atrium of my heart. I ransmitted my heart data via remote to my cardiologist. Upon seeing this disturbance, I was summoned to his office. Vhile they would like to do surgery, they feel that my heart would not tolerate such a procedure. I have lost two ırothers at a young age from this illness. I remember the days when a management person was out of work due to a erious illness and they would be swamped with phone calls from well wishers. Somehow, I never expected to hear rom Kevin or anyone else from the HR Department. I am feeling betrayed even more when I checked to see my pay or January. Of $ 7,610.00 dollars I bring home a grand total of ZERO dollars. This bring my loss in wages in the last [illegible]o a grand total of $26, 236.00 dollars.I have medical proof of this absence, and have forwarded it to the Melville [illegible]an Resource Fax at (631) 756-3838. Having worked there I know how well the fax machine is policed with regard o incoming transmissions of medical information and doctors notes. I have proof of the transmission being received.

11/9/2009

.I also sent a letter asking that my United Way contribution of $ 62.50 per month be stopped immediately. I think for ne to contribute $750.00 per year is ridiculous since I am no longer able to survive. I do not want to ask that this be lone again. I also expect that the monies that was deducted in January be credited to my next paycheck forthwith.

now I have asked you these questions before, but I am going to ask them once again. Perhaps you need to revisit hese people, since the complexity of this endeavor has grown beyond the walls of UPS. I don't expect a response, as I ıow know the Employee Relations Manager's job is not to protect the employee, but the organization. I am going to ;ive you the chance to not respond, as I know you will only respond with silence.

Tom Cucce - I informed you that he told me that my disease was giving him a problem. He brought me behind closed loors in the Foster Avenue Division Manager's office and told both myself and Paul Turner that our diseases were :ausing him a problem. He held his hands out to his side's palms up, replicating a scale. As one hand went up, the other vent down. His words still ring clear in my mind; "I have a choice to make, do I feed my kids or do I feed yours? He epeated himself again. The he told me, "I am going to feed mine". I don't have a job for you". "Go home". I know he efused to accept responsibility for this statement, but I was not alone in that office. Why did you not get back to me ınd tell me what your conversation was with Paul Turner? I have not seen Paul Turner since then, and I was curious to :now his response. When we were kicked out of Tom Cucce's office that day I told Paul to remember this :onversation. Paul, a diabetic was denied DOT medical clearance to drive commercial vehicles. That is where the elationship between him and Tom Cucce became strained. I simply needed to take two days off to be evaluated in a ıospital. This was an opportunity for the organization to become our hero. Instead, they failed us. Paul and I worked irelessly for years, but when our health went bad, so did the perception of the organization for us.

Tom Soregeroli - He called my house as if in concern about my health. He felt I was "out of it", and that my medicine vas effecting my intensity. My wife was pleased that he was concerned at the time. She freely shared information with ıim that has been used against me. Being that his line of questioning was not personal in nature, I am to assume that it vas professional in nature. This information was brought to the Division Manager at the time, Cindy Miller. Tom 'iolated my HIPA rights by doing so. My wife, who I am now divorced, has nothing to gain by testifying to the fact of ii estioning. Tom denies having spoken to my wife, and maintains that he doesn't even know her! My wife is ready o to testify to his outright lie!

Cindy Miller - Upon being informed by Tom Soregeroli about his "perceived" belief that my medication was effecting ny intensity, Cindy summoned me to her office, whereupon she asked me about the medicine and it's effects. She vrote the name of the medicine down and said she would investigate. I never heard back from her. Cindy claims to ecall the conversation when questioned by you, but she said that I told her that I was a Marine and that I was not going o take the medicine anymore. While the second half of her story is absolutely false, she does confirm having had the :onversation. Her response now discounts Tom Soregeroli's story. How would Cindy have known this without Tom ıaving told her, and after getting that information illegally from my wife. Someone is lying, and Cindy proves that Tom did come to her with that information. I respect Cindy for telling at least a partial truth. Tom was a Supervisor that eported to me at the time. He felt he was next in line for the Manager's job of the Kensington Center. When this didn't ›ccur, he chose to slander himself after illegally drawing my wife into his web built of lies.

Gerrais Gary - I know he doesn't work for the company anymore, and perhaps I should reach out for him myself. He eplaced Cindy Miller and within a few short weeks, I was busted from manager to supervisor without provocation. He :ould not look me in the eye when he did so. I knew he was not the decision maker. He had to carry out the act. The hen, Human Resource Manager, Craig Owen, upon being asked by me to furnish a written factual document for the eason I was being busted, replied "We don't do that". Is this not a company that is built on integrity? How does a nanager who was being applauded for monumental gains in productivity and safety on the corporate bulletin board vind up being summoned to his demise, and not given at least an explanation? It has been almost 9 years since I was ›usted, and my family and I have had to endure the loss of income attributed to that demotion. Despite all, I continued o do my job.

hile I know that the Federal Motor Carrier Safety Regulations (FMCSR) prohibits anyone with a defibrillator from ›perating a commercial vehicle, a certain Division Manager felt it necessary to inform me that I had to go get DOT Medical clearance. The device is implanted to prevent against arrhythmia's that may cause sudden death. Upon ıocking the heart they bring about an episode of syncope, or a blackout. Driving a UPS vehicle is not where you want ı be when this occurs. When I was assigned to the Island City Division in Melville, Division Manager Jim Kirk told ıe to go get my DOT card. I informed him that I was prohibited. He insisted I go anyway. I proceeded to DocCare on resh Pond Road. I met with Dr. Bigman who denied me medical clearance. He even pointed to the verbage in the ŀ⬤R which clearly stated that I was prohibited. Upon returning to the building and informing Jim Kirk, he told me ı go to another doctor. I once again followed his instructions. I then proceeded to Dr. Ciuffo's office at 7301 Grand .venue. Dr. Ciuffo, a long term approved UPS medical provider was not in at the time and his P.A. performed the hysical. I divulged all my medical history in detail. She gave me the DOT clearance anyway! She failed to recognize ıe laws regarding implanted defibrillators. I returned to the building with my DOT medical clearance. I refused to perate vehicles despite having the card. With knowledge comes responsibility. Under duress, I followed the orders f yet another man who puts the needs of the organization ahead of the individual.

On a separate note, upon Jim Kirk's arrival to the building as the newly appointed Division Manager, he felt it ecessary to stop me while I was working and asked if I was "Queer". I didn't understand his question so I begged his ardon. He pointed to a necklace that I wore; my daughter had made it in school. It was a colorful red beaded necklace. paid honor and respect to my daughter by wearing it. What father wouldn't? The next day he again stopped me and ıquired about the necklace once again. He was in the presence of other high level management people and chose to ıallenge me further. He then asked if I was going to come to work with a red dress and pumps on the next day. This ehavior is not exactly what one would expect from a man in his position of authority. I must mention this because of ıe environment of abuse that I received in recent years has become a link to the abusive household I grew up in. I have one to therapy over the years to put down the demons of my past, only to have them brought to life in my place of usiness. If Jim Kirk "perceives" that I am a homosexual, then I have been discriminated against in that regard as well.

I am a man of good character and unparalleled reputation; even among the rank and file union employees. I stand rong in my beliefs and always do what is right. I do for others, even at my own expense! I am an excellent trainer and onsummate professional. I have a code of ethics and loyalty that has only been severed by the actions of those who I ave mentioned here. I will do whatever is necessary to achieve satisfaction to my problems. I have embarked on legal ı⬤res, but have not ruled out the support of the Veterans Administration, Marine Corps, media, press, and political ıtervention as well. I may not be a sophisticated legal mind, but I can stand before God and explain the depth of which have been wronged. I have the intestinal fortitude to stay the course, for I have only done one thing wrong; I got sick! will take a lie detector test and I wonder if the aforementioned will be willing to do the same. I am seen as the source f the problem here. You need not look further than within the confines of this statement to find the smoking gun! Your hoice is to either to admit it or to have me reveal it for you. I have had it with this adversarial and abusive relationship. : ends either through choice or by circumstances defined by the facts that WILL be revealed. I will tell you this ıough, when the day of reckoning comes, there will be bus loads of people from UPS willing to bear testimony to my haracter and reputation. I have the heart of a lion and the respect of many for never having sold my soul.

Tomorrow I will be going to turn the plates in on my vehicle, as I can no longer pay the insurance. I expected to be aid this month, and true to form, I was failed once again. My insurance expires on Midnight of the 26th. It doesn't ıatter anymore since the water pump went on it this week as well. It was my home. I used it for shelter and warmth. I /as going to have the water pump fixed as well. I want to thank you for once again revealing how appreciative you ave been for my years of service. The eight years I spent in the Marines doesn't even make me eligible for the onstitutional rights I fought to protect, and are now being denied. In the past I have heard words, but have yet to see ction. I will see this through to the end for the many that have been afraid to embark on such an endeavor. Perhaps by ome chance, it may be my attempt to also regulate our organizational behavior. "Doing the right thing" often goes far eyond the letter of the law. "Good morals, if they are to be maintained, have a need for laws, and the laws, if they are ɔ be observed, have a need for good morals. I ask you and your legal department to seek truth within this whole uagmire, for in the truth lies the morality and the foundation of law! I would rather carry this through and fail than to e silenced, bullied, or discriminated against any further.

⬤ daughter Rachel, who was only 11 at the time was selected to play on a travel softball team. She was probably ıe best player on the team. She was minimized by a coach who had ulterior motives. Rachel was new and her aughter, along with the rest of the politically connected click treated her like an outsider. We approached the coach nd she said that she would not change her game plan. I told Rachel that I would not think less of her if she chose to ow out gracefully, as she was never going to be treated fairly. Rachel looked me in the eye and said that it was a pecial team and that she would accept her role. If she had one at bat she was going to do her best to drive it deep. If he had one chance to make a play she was going to dive and nearly kill herself if she had to. She spent most of her me looking through the chain link fence while the other girls played. She would put her head down and kick the dirt er cleats. Her face was sad but she had resolve. I can't tell you how many times I cried through my fingers as I overed my face, watching her pain. That 11 year old girl taught me how to have the heart of a lion. It wasn't the Iarines! Rachel taught me that the strongest man in the world is the one who stands most alone.

I have two other children with special needs, but you would never know that, as I never remove the mask I wear. My oungest has the same heart problem I have, and we had to invest in an external defibrillator should she be encountered rith sudden death. Their father, who they have grown to love and respect, has given all he has to an organization that as fired him, but has yet to find a way to make it happen. Their love for me will stand long after I have fallen. My trength will come not from my physical capacity, but from my indomitable will. This will be revealed with the support f my "Legal Department". It realy is a shame that the truth can not be told. Why is everyone so afraid? There is othing to fear except the refusal to find out the truth, or at least the persistent refusal to analyze the cause.

Exhibit 55

To: Dr. Mark Sherrid
From: John K. Welch
Subject: Return to work authorization

Dr. Sherrid,

I know that I am not being kept out of work due to anything related to my heart at this time, but because I left work with the premise of having surgery, my employer will not allow me to return to work until I am cleared by you. This is a policy the company has in place for employees returning to work from disability. I am enclosing a draft letter that you may use as a guide. The note must contain my restrictions as well.

I would also ask that you fax any of the details of my arrhythmia's or elevated heart rates (dates / times) to my fax number. I will have the letter sent to UPS, but I need the details of my arrhythmia's because UPS has forced me to lift packages despite all warnings. The details of my device are for my records only. The note will go to UPS.

Without this letter I am out of work unexcused, and therefore not being paid. In the past 8 months I have lost nearly $30,000 due to absence from work. Please fax these documents to (631) 952-3729, attention: Sheryl.

Sincerely,

John K. Welch

Exhibit 56

From: dilibero kevin (wne2kxd)
Sent: Monday, January 26, 2009 2:56 PM
To: DALY DAN (WLI1DXD)
Subject: FW: John Welch

From: John Welch [mailto:nymarine1@yahoo.com]
Sent: Monday, January 26, 2009 3:17 AM
To: TRANDIAK DOUG (CNY1DXT); dilibero kevin (wne2kxd); Gordon Irene (MCK4KQV); promero@laborlaws.com; nfrank@laborlaws.com; Ridolfi Michael (NYC2MXR)
Subject: John Welch

I am sending this message out to the powers to be in the Human Resources Department of the Long Island District. Kevin Dilibero - Human Resources Manager Douglas Trandiak - Employee Relations Manager Irene Gordon - Occupational Health and Safety. I am absolutely on my last leg and have exhausted all efforts to be treated fairly. I have some pressing questions that need to be addressed. I will also make it very clear to you that this is being shared with my attorney. For beginners, I have been homeless and have had to nourish myself at the Christ the King Parish food pantry in Commack. My pay is being garnished obviously through an income execution order for a divorce settlement, and the remaining income is sparingly used to sustain myself. I have asked for support from you Kevin and yet you choose to only attack me on each occasion, gathering your whole staff in a conference room and summoning me unsuspectingly at 5:00 in the morning. I have always been willing to do my job, and in fact, have done so above and beyond the call of duty. My reputation is second to none with regard to my quality of service and dedication to the corporate goals and mission. Each time I complain about mistreatment, discrimination or bring attention to the fact that I am being denied benefits, you gather your team and attack me without representation. I will no longer communicate with you without the legal support your behavior facilitates. I do not appreciate being surrounded by members of the management team I once called partners, who have now taken up arms against me in an effort to cause me to suffer instead of addressing the discriminatory remarks and actions of others, who you choose to protect. Kevin, your mistake is for having made this choice to protect those that have violated the law, in lieu of standing for what is just and righteous by standing in my corner. You have deviated from the principles of the highest traditions of our company policy; "People", "Our Most Valued Asset". This can not be undone Kevin. You have even told me "I don't have a job for someone like you". Well, someone like me is someone perhaps you have never met before Kevin. Someone like me is the person who is going to hold you accountable, either willingly or through judicial intervention. I will stand before any court or jury of my peers, for the only thing I have done wrong is to get sick. Doug, as the Employee Relations Manager, I need some help understanding a few things. Maybe you can clarify them for me. First of all, last year I was denied two months pay. I was also denied the tuition reimbursement that I was promised. The total loss of wages and tuition equals $18,620. I was not paid for the month of April, but I never asked to be out of work. I was told by Mike Ridolfi that if I could not work the excessive hours, even after being provided a reasonable accommodation under the guidelines of the ADA, that I was not allowed to work. Hence, the decision for me to be out of work was not made by me, but by Mike Ridolfi, an officer of the company. You told me that I was not eligible for vacation and that I could not take them until they were accrued. You gave me the literature explaining the guidelines. Well, I was not able to take all my vacation weeks last year. Being that they can not be "rolled over" to the new year, why was I not paid for these weeks? I am owed four weeks of vacation. On another note, the 2009 Vacations are to be picked in seniority order by the end of November 2008. Why was I not afforded the opportunity to pick my 5 vacation weeks for 2009? Could it be because I am "perceived" as an employee with a disability that will result in my absence from work? I believe this to be true, as it was mentioned to me by Dave Mazzolla, also the same man who denies having been contacted by me regarding my disability status in August 2008, which can be verified through my phone records. I am certain that I am the ONLY person in the district, including over 5,000 UPS'ers that has yet to make his vacation picks for 2009. Correct me if I am wrong. Vacation schedules go out on November 1st. They go final on November 30th, and they are posted on December 1st. When an employee is next in line to pick because of his/her seniority, all others have to wait until he/she is contacted; even if he/she is on compensation, disability, or vacation. Usually a phone call is made so this can be done.Why was I not contacted? I am assigned to SLIC 1181, therefore I am the highest tenured supervisor. I would also like to know how you can refuse to pay me for two months in 2008 AND refuse to give me my vacation pay for 2008? Do I just lose them both? As I see it, I should be paid for the two months you didn't pay me, and the vacations I never took. I have appealed through Aetna for the pay and have been denied, but you would already know that I am sure. I have always said there are only two reasons why something doesn't get done; The employee didn't know, or the employee didn't care. Having eliminated the didn't know part, I can only assume that the Human Resources Department just doesn't care. I think it is very important to note that when I became dizzy on the preload back in April 2007, and fell and struck my head, the only response I got from Mike Ridolfi was, "I am going to have to contact our Legal Department to see if we still have a job for you". Mike also mentioned to me that I needed to fill out yet another ADA request at that time. When asked why, since I had completed one in 2005, Mike responded by saying, "We dropped the ball on that one". Well, that "WE" would not include "ME". Mike made it very clear to me that he was an officer of the company and had to verify if I still had the job I was doing for the past 22 years. Somehow it seems to me that many of the issues we are having in this district revolve around the Human Resources Department not doing THEIR job! By the way, I have been experiencing headaches throughout the past few years that can only be attributed to that fall. I have never gone on record, and could not at the time because of the fear and intimidation bestowed upon me by Mike Ridolfi. I am no longer going to walk on egg shells. Another question I have for you is this Doug; How come when I am summoned to these "everyone against me" meetings, you never talk to me or prepare me as the "Employee Relations Manager" should? You sit across the table and take notes, which in my opinion are inadmissible, as they are not signed or is it a sworn statement in the court of law, meanwhile I sit alone under the barrage of Kevin Dilibero and his collective staff. There is something else I need to make you well aware of Doug. This peak season I was assigned to the MSD Unit on PD12 of the Nassau Preload. I hope you know that not only was I required, but instructed to handle packages. Joe Mero and Steve Weiderhold did not make these statements, but they were present when Preload Supervisor Larry Deck told me that I had to "Break Jams". Breaking Jams was not the word to explain the total lack of concern for our business at that end of the building. I told you all long ago that your job was to protect me by not putting me in a position to have to do this type of work. I am a Marine by nature, and having grown up in an abusive household, never feel like I have done enough. You put me once again into the fires and leave me for dead on PD12. My Doctor specifically told you that the requirements of the job is putting me at considerable risk for sudden death. Should that not warrant the desire to do the right thing for a man that never said no to the organization he loves. Incidentally, the arrhythmia's I experienced were during the hours in which I was required to "break jams". My recent absence from work was caused by some arrhythmia's I was having in the atrium of my heart. I transmitted my heart data via remote to my cardiologist. Upon seeing this disturbance, I was summoned to his office. While they would like to do surgery, they feel that my heart would not tolerate such a procedure. I have lost two brothers at a young age from this illness. I remember the days when a management person was out of work due to a serious illness and they would be swamped with phone calls from well wishers. Somehow, I never expected to hear from Kevin or anyone else from the HR Department. I am feeling betrayed even more when I checked to see my pay for January. Of $ 7,610.00 dollars I bring home a grand total of ZERO dollars. This bring my loss in wages in the last year to a grand total of $26, 236.00 dollars.I have medical proof of this absence, and have forwarded it to the Melville Human Resource Fax at (631) 756-3838. Having worked there I know how well the fax machine is policed with regard to incoming transmissions of medical information and doctors notes. I have proof of the transmission being received. I also sent a letter asking that my United Way contribution of $ 62.50 per month be stopped immediately. I think for me to contribute $750.00 per year is ridiculous since I am no longer able to survive. I do not want to ask that this be done again. I also expect that the monies that was deducted in January be credited to my next paycheck forthwith. I know I have asked you these questions before, but I am going to ask them once again. Perhaps you need to revisit these people, since the complexity of this endeavor has grown beyond the walls of UPS. I don't expect a response, as I now know the Employee Relations Manager's job is not to protect the employee, but the organization. I am going to give you the chance to not respond, as I know you will only respond with silence. Tom Cucce - I informed you that he told me that my disease was giving him a problem. He brought me behind closed doors in the Foster Avenue Division Manager's office and told both myself and Paul Turner that our diseases were causing him a problem. He held his hands out to his side's palms up, replicating a scale. As one hand went up, the other went down. His words still ring clear in my mind; "I have a choice to make, do I feed my kids or do I feed yours? He repeated himself again. The he told me, "I am going to feed mine". I don't have a job for you". "Go home". I know he refused to accept responsibility for this statement, but I was not alone in that office. Why did you not get back to me and tell me what your conversation was with Paul Turner? I have not seen Paul Turner since then, and I was curious to know his response. When we were kicked out of Tom Cucce's office that day I told Paul to remember this conversation. Paul, a diabetic was denied DOT medical clearance to drive commercial vehicles. That is where the relationship between him and Tom Cucce became strained. I simply needed to take two days off to be evaluated in a hospital. This was an opportunity for the organization to become our hero. Instead, they failed us. Paul and I worked tirelessly for years, but when our health went bad, so did the perception of the organization for us. Tom Soregeroli - He called my house as if in concern about my health. He felt I was "out of it", and that my medicine was effecting my intensity. My wife was pleased that he was concerned at the time. She freely shared information with him that has been used against me. Being that his line of questioning was not personal in nature, I am to assume that it was professional in nature. This information was brought to the Division Manager at the time, Cindy Miller. Tom violated my HIPA rights by doing so. My wife, who I am now divorced, has nothing to gain by testifying to the fact of his questioning. Tom denies having spoken to my wife, and maintains that he doesn't even know her! My wife is ready to to testify to his outright lie! Cindy Miller - Upon being informed by Tom Soregeroli about his "perceived" belief that my medication was effecting my intensity, Cindy summoned me to her office, whereupon she asked me about the medicine and it's effects. She wrote the name of the medicine down and said she would investigate. I never heard back from her. Cindy claims to recall the conversation when questioned by you, but she said that I told her that I was a Marine and that I was not going to take the medicine anymore. While the second half of her story is absolutely false, she does confirm having had the conversation. Her response now discounts Tom Soregeroli's story. How would Cindy have known this without Tom having told her, and after getting that information illegally from my wife. Someone is lying, and Cindy proves that Tom did come to her with that information. I respect Cindy for telling at least a partial truth. Tom was a Supervisor that reported to me at the time. He felt he was next in line for the Manager's job of the Kensington Center. When this didn't occur, he chose to slander himself after illegally drawing my wife into his web built of lies. Gerrais Gary - I know he doesn't work for the company anymore, and perhaps I should reach out for him myself. He replaced Cindy Miller and within a few short weeks, I was busted from manager to supervisor without provocation. He could not look me in the eye when he did so. I knew he was not the decision maker. He had to carry out the act. The then, Human Resource Manager, Craig Owen, upon being asked by me to furnish a written factual document for the reason I was being busted, replied "We don't do that". Is this not a company that is built on integrity? How does a manager who was being applauded for monumental gains in productivity and safety on the corporate bulletin board wind up being summoned to his demise, and not given at least an explanation? It has been almost 9 years since I was busted, and my family and I have had to endure the loss of income attributed to that demotion. Despite all, I continued to do my job. While I know that the Federal Motor Carrier Safety Regulations (FMCSR) prohibits anyone with a defibrillator from operating a commercial vehicle, a certain Division Manager felt it necessary to inform me that I had to go get DOT Medical clearance. The device is implanted to prevent against arrhythmia's that may cause sudden death. Upon shocking the heart they bring about an episode of syncope, or a blackout. Driving a UPS vehicle is not where you want to be when this occurs. When I was assigned to the Island City Division in Melville, Division Manager Jim Kirk told me to go get my DOT card. I informed him that I was prohibited. He insisted I go anyway. I proceeded to DocCare on Fresh Pond Road. I met with Dr. Bigman who denied me medical clearance. He even pointed to the verbage in the FMCSR which clearly stated that I was prohibited. Upon returning to the building and informing Jim Kirk, he told me to go to another doctor. I once again followed his instructions. I then proceeded to Dr. Ciuffo's office at 7301 Grand Avenue. Dr. Ciuffo, a long term approved UPS medical provider was not in at the time and his P.A. performed the physical. I divulged all my medical history in detail. She gave me the DOT clearance anyway! She failed to recognize the laws regarding implanted defibrillators. I returned to the building with my DOT medical clearance. I refused to operate vehicles despite having the card. With knowledge comes responsibility. Under duress, I followed the orders of yet another man who puts the needs of the organization ahead of the individual. On a separate note, upon Jim Kirk's arrival to the building as the newly appointed Division Manager, he felt it necessary to stop me while I was working and asked if I was "Queer". I didn't understand his question so I begged his pardon. He pointed to a necklace that I wore; my daughter had made it in school. It was a colorful red beaded necklace. I paid honor and respect to my daughter by wearing it. What father wouldn't? The next day he again stopped me and inquired about the necklace once again. He was in the presence of other high level management people and chose to challenge me further. He then asked if I was going to come to work with a red dress and pumps on the next day. This behavior is not exactly what one would expect from a man in his position of authority. I must mention this because of the environment of abuse that I received in recent years has become a link to the abusive household I grew up in. I have gone to therapy over the years to put down the demons of my past, only to have them brought to life in my place of business. If Jim Kirk "perceives" that I am a homosexual, then I have been discriminated against in that regard as well. I am a man of good character and unparalleled reputation; even among the rank and file union employees. I stand strong in my beliefs and always do what is right. I do for others, even at my own expense! I am an excellent trainer and consummate professional. I have a code of ethics and loyalty that has only been severed by the actions of those who I have mentioned here. I will do whatever is necessary to achieve satisfaction to my problems. I have embarked on legal measures, but have not ruled out the support of the Veterans Administration, Marine Corps, media, press, and political intervention as well. I may not be a sophisticated legal mind, but I can stand before God and explain the depth of which I have been wronged. I have the intestinal fortitude to stay the course, for I have only done one thing wrong; I got sick! I will take a lie detector test and I wonder if the aforementioned will be willing to do the same. I am seen as the source of the problem here. You need not look further than within the confines of this statement to find the smoking gun! Your choice is to either to admit it or to have me reveal it for you. I have had it with this adversarial and abusive relationship. It ends either through choice or by circumstances defined by the facts that WILL be revealed. I will tell you this though, when the day of reckoning comes, there will be bus loads of people from UPS willing to bear testimony to my character and reputation. I have the heart of a lion and the respect of many for never having sold my soul. Tomorrow I will be going to turn the plates in on my vehicle, as I can no longer pay the insurance. I expected to be paid this month, and true to form, I was failed once again. My insurance expires on Midnight of the 26th. It doesn't matter anymore since the water pump went on it this week as well. It was my home. I used it for shelter and warmth. I was going to have the water pump fixed as well. I want to thank you for once again revealing how appreciative you have been for my years of service. The eight years I spent in the Marines doesn't even make me eligible for the constitutional rights I fought to protect, and are now being denied. In the past I have heard words, but have yet to see action. I will see this through to the end for the many that have been afraid to embark on such an endeavor. Perhaps by some chance, it may be my attempt to also regulate our organizational behavior. "Doing the right thing" often goes far beyond the letter of the law. "Good morals, if they are to be maintained, have a need for laws, and the laws, if they are to be observed, have a need for good morals. I ask you and your legal department to seek truth within this whole quagmire, for in the truth lies the morality and the foundation of law! I would rather carry this through and fail than to be silenced, bullied, or discriminated against any further. My daughter Rachel, who was only 11 at the time was selected to play on a travel softball team. She was probably the best player on the team. She was minimized by a coach who had ulterior motives. Rachel was new and her daughter, along with the rest of the politically connected click treated her like an outsider. We approached the coach and she said that she would not change her game plan. I told Rachel that I would not think less of her if she chose to bow out gracefully, as she was never going to be treated fairly. Rachel looked me in the eye and said that it was a special team and that she would accept her role. If she had one at bat she was going to do her best to drive it deep. If she had one chance to make a play she was going to dive and nearly kill herself if she had to. She spent most of her time looking through the chain link fence while the other girls played. She would put her head down and kick the dirt with her cleats. Her face was sad but she had resolve. I can't tell you how many times I cried through my fingers as I covered my face, watching her pain. That 11 year old girl taught me how to have the heart of a lion. It wasn't the Marines! Rachel taught me that the strongest man in the world is the one who stands most alone. I have two other children with special needs, but you would never know that, as I never remove the mask I wear. My youngest has the same heart problem I have, and we had to invest in an external defibrillator should she be encountered with sudden death. Their father, who they have grown to love and respect, has given all he has to an organization that has fired him, but has yet to find a way to make it happen. Their love for me will stand long after I have fallen. My strength will come not from my physical capacity, but from my indomitable will. This will be revealed with the support of my "Legal Department". It realy is a shame that the truth can not be told. Why is everyone so afraid? There is nothing to fear except the refusal to find out the truth, or at least the persistent refusal to analyze the cause.

Exhibit 57

From: Gordon Irene (MCK4KQV)
Sent: Friday, January 30, 2009 3:27 PM
To: dilibero kevin (wne2kxd)
Subject: FW: John Welch

From: Gordon Irene (MCK4KQV)
Sent: Friday, January 30, 2009 3:25 PM
To: 'John Welch'
Subject: RE: John Welch

I write to respond to your email below as well as your email of January 22, 2009. First and foremost, I am very sorry to hear that you have fallen on hard times. As I previously have explained, everyone at UPS wishes nothing but the best for you. With respect to your email of January 26, you re-raise numerous allegations that already have been fully reviewed and addressed by the Company. I refer you to various of your meetings with Company personnel, including your meeting with Kevin DiLibero and Doug Trandiak on January 31, 2008 and your meeting with Kevin, Doug, Joe Mero, and Steve Wiederhold on June 20, 2008, as well as to various written correspondence you have received from the Company. It is not productive to revisit each of these issues here. I do want to address the reason you have not been paid for recent weeks: At present, your absence from the Company is unexcused. You failed to show up for work on January 5, 2009 and we went weeks without hearing from you. The only communication we received was from your girlfriend, who claimed you were being hospitalized at a VA Hospital with no access to telephones and no other means of communicating with the Company. We have not received any documentation confirming this representation. John, this is not the first time you have failed to show up for work unexpectedly without contacting the Company and without providing appropriate documentation. On prior occasions, we have given you the benefit of every doubt, and even have paid your full salary for weeks or even months on end despite the unexcused nature of your absences. This time, before we can process your return to work, we will need written documentation from the VA Hospital showing your dates of admission and discharge, and confirming that you could not reasonably communicate with us through your hospital stay. This documentation can be sent to me at 75 Smith Street Farmingdale, NY. 11735. With respect to your claims for short-term disability, we remind you, again, that Aetna –and not UPS –handles such claims. If you have documentation you wish to submit in support of your STD claim, this information should be sent to Aetna, not UPS. Your claim number is 1414154, and Aetna can be reached at 1-866-825-0186 if you have any questions. John, I again want to extend best wishes from the entire UPS family. If you have any questions, please feel free to contact me. Sincerely, Irene

From: John Welch [mailto:nymarine1@yahoo.com]
Sent: Monday, January 26, 2009 3:17 AM
To: TRANDIAK DOUG (CNY1DXT); dilibero kevin (wne2kxd); Gordon Irene (MCK4KQV); promero@laborlaws.com; nfrank@laborlaws.com; Ridolfi Michael (NYC2MXR)
Subject: John Welch

I am sending this message out to the powers to be in the Human Resources Department of the Long Island District. Kevin Dilibero - Human Resources Manager Douglas Trandiak - Employee Relations Manager Irene Gordon - Occupational Health and Safety. I am absolutely on my last leg and have exhausted all efforts to be treated fairly. I have some pressing questions that need to be addressed. I will also make it very clear to you that this is being shared with my attorney. For beginners, I have been homeless and have had to nourish myself at the Christ the King Parish food pantry in Commack. My pay is being garnished obviously through an income execution order for a divorce settlement, and the remaining income is sparingly used to sustain myself. I have asked for support from you Kevin and yet you choose to only attack me on each occasion, gathering your whole staff in a conference room and summoning me unsuspectingly at 5:00 in the morning. I have always been willing to do my job, and in fact, have done so above and beyond the call of duty. My reputation is second to none with regard to my quality of service and dedication to the corporate goals and mission. Each time I complain about mistreatment, discrimination or bring attention to the fact that I am being denied benefits, you gather your team and attack me without representation. I will no longer communicate with you without the legal support your behavior facilitates. I do not appreciate being surrounded by members of the management team I once called partners, who have now taken up arms against me in an effort to cause me to suffer instead of addressing the discriminatory remarks and actions of others, who you choose to protect. Kevin, your mistake is for having made this choice to protect those that have violated the law, in lieu of standing for what is just and righteous by standing in my corner. You have deviated from the principles of the highest traditions of our company policy; "People", "Our Most Valued Asset". This can not be undone Kevin. You have even told me "I don't have a job for someone like you". Well, someone like me is someone perhaps you have never met before Kevin. Someone like me is the person who is going to hold you accountable, either willingly or through judicial intervention. I will stand before any court or jury of my peers, for the only thing I have done wrong is to get sick. Doug, as the Employee Relations Manager, I need some help understanding a few things. Maybe you can clarify them for me. First of all, last year I was denied two months pay. I was also denied the tuition reimbursement that I was promised. The total loss of wages and tuition equals $18,620. I was not paid for the month of April, but I never asked to be out of work. I was told by Mike Ridolfi that if I could not work the excessive hours, even after being provided a reasonable accommodation under the guidelines of the ADA, that I was not allowed to work. Hence, the decision for me to be out of work was not made by me, but by Mike Ridolfi, an officer of the company. You told me that I was not eligible for vacation and that I could not take them until they were accrued. You gave me the literature explaining the guidelines. Well, I was not able to take all my vacation weeks last year. Being that they can not be "rolled over" to the new year, why was I not paid for these weeks? I am owed four weeks of vacation. On another note, the 2009 Vacations are to be picked in seniority order by the end of November 2008. Why was I not afforded the opportunity to pick my 5 vacation weeks for 2009? Could it be because I am "perceived" as an employee with a disability that will result in my absence from work? I believe this to be true, as it was mentioned to me by Dave Mazzolla, also the same man who denies having been contacted by me regarding my disability status in August 2008, which can be verified through my phone records. I am certain that I am the ONLY person in the district, including over 5,000 UPS'ers that has yet to make his vacation picks for 2009. Correct me if I am wrong. Vacation schedules go out on November 1st. They go final on November 30th, and they are posted on December 1st. When an employee is next in line to pick because of his/her seniority, all others have to wait until he/she is contacted; even if he/she is on compensation, disability, or vacation. Usually a phone call is made so this can be done.Why was I not contacted? I am assigned to SLIC 1181, therefore I am the highest tenured supervisor. I would also like to know how you can refuse to pay me for two months in 2008 AND refuse to give me my vacation pay for 2008? Do I just lose them both? As I see it, I should be paid for the two months you didn't pay me, and the vacations I never took. I have appealed through Aetna for the pay and have been denied, but you would already know that I am sure. I have always said there are only two reasons why something doesn't get done; The employee didn't know, or the employee didn't care. Having eliminated the didn't know part, I can only assume that the Human Resources Department just doesn't care. I think it is very important to note that when I became dizzy on the preload back in April 2007, and fell and struck my head, the only response I got from Mike Ridolfi was, "I am going to have to contact our Legal Department to see if we still have a job for you". Mike also mentioned to me that I needed to fill out yet another ADA request at that time. When asked why, since I had completed one in 2005, Mike responded by saying, "We dropped the ball on that one". Well, that "WE" would not include "ME". Mike made it very clear to me that he was an officer of the company and had to verify if I still had the job I was doing for the past 22 years. Somehow it seems to me that many of the issues we are having in this district revolve around the Human Resources Department not doing THEIR job! By the way, I have been experiencing headaches throughout the past few years that can only be attributed to that fall. I have never gone on record, and could not at the time because of the fear and intimidation bestowed upon me by Mike Ridolfi. I am no longer going to walk on egg shells. Another question I have for you is this Doug; How come when I am summoned to these "everyone against me" meetings, you never talk to me or prepare me as the "Employee Relations Manager" should? You sit across the table and take notes, which in my opinion are inadmissible, as they are not signed or is it a sworn statement in the court of law, meanwhile I sit alone under the barrage of Kevin Dilibero and his collective staff. There is something else I need to make you well aware of Doug. This peak season I was assigned to the MSD Unit on PD12 of the Nassau Preload. I hope you know that not only was I required, but instructed to handle packages. Joe Mero and Steve Weiderhold did not make these statements, but they were present when Preload Supervisor Larry Deck told me that I had to "Break Jams". Breaking Jams was not the word to explain the total lack of concern for our business at that end of the building. I told you all long ago that your job was to protect me by not putting me in a position to have to do this type of work. I am a Marine by nature, and having grown up in an abusive household, never feel like I have done enough. You put me once again into the fires and leave me for dead on PD12. My Doctor specifically told you that the requirements of the job is putting me at considerable risk for sudden death. Should that not warrant the desire to do the right thing for a man that never said no to the organization he loves. Incidentally, the arrhythmia's I experienced were during the hours in which I was required to "break jams". My recent absence from work was caused by some arrhythmia's I was having in the atrium of my heart. I transmitted my heart data via remote to my cardiologist. Upon seeing this disturbance, I was summoned to his office. While they would like to do surgery, they feel that my heart would not tolerate such a procedure. I have lost two brothers at a young age from this illness. I remember the days when a management person was out of work due to a serious illness and they would be swamped with phone calls from well wishers. Somehow, I never expected to hear from Kevin or anyone else from the HR Department. I am feeling betrayed even more when I checked to see my pay for January. Of $ 7,610.00 dollars I bring home a grand total of ZERO dollars. This bring my loss in wages in the last year to a grand total of $26, 236.00 dollars.I have medical proof of this absence, and have forwarded it to the Melville Human Resource Fax at (631) 756-3838. Having worked there I know how well the fax machine is policed with regard to incoming transmissions of medical information and doctors notes. I have proof of the transmission being received. I also sent a letter asking that my United Way contribution of $ 62.50 per month be stopped immediately. I think for me to contribute $750.00 per year is ridiculous since I am no longer able to survive. I do not want to ask that this be done again. I also expect that the monies that was deducted in January be credited to my next paycheck forthwith. I know I have asked you these questions before, but I am going to ask them once again. Perhaps you need to revisit these people, since the complexity of this endeavor has grown beyond the walls of UPS. I don't expect a response, as I now know the Employee Relations Manager's job is not to protect the employee, but the organization. I am going to give you the chance to not respond, as I know you will only respond with silence. Tom Cucce - I informed you that he told me that my disease was giving him a problem. He brought me behind closed doors in the Foster Avenue Division Manager's office and told both myself and Paul Turner that our diseases were causing him a problem. He held his hands out to his side's palms up, replicating a scale. As one hand went up, the other went down. His words still ring clear in my mind; "I have a choice to make, do I feed my kids or do I feed yours? He repeated himself again. The he told me, "I am going to feed mine". I don't have a job for you". "Go home". I know he refused to accept responsibility for this statement, but I was not alone in that office. Why did you not get back to me and tell me what your conversation was with Paul Turner? I have not seen Paul Turner since then, and I was curious to know his response. When we were kicked out of Tom Cucce's office that day I told Paul to remember this conversation. Paul, a diabetic was denied DOT medical clearance to drive commercial vehicles. That is where the relationship between him and Tom Cucce became strained. I simply needed to take two days off to be evaluated in a hospital. This was an opportunity for the organization to become our hero. Instead, they failed us. Paul and I worked tirelessly for years, but when our health went bad, so did the perception of the organization for us. Tom Soregeroli - He called my house as if in concern about my health. He felt I was "out of it", and that my medicine was effecting my intensity. My wife was pleased that he was concerned at the time. She freely shared information with him that has been used against me. Being that his line of questioning was not personal in nature, I am to assume that it was professional in nature. This information was brought to the Division Manager at the time, Cindy Miller. Tom violated my HIPA rights by doing so. My wife, who I am now divorced, has nothing to gain by testifying to the fact of his questioning. Tom denies having spoken to my wife, and maintains that he doesn't even know her! My wife is ready to to testify to his outright lie! Cindy Miller - Upon being informed by Tom Soregeroli about his "perceived" belief that my medication was effecting my intensity, Cindy summoned me to her office, whereupon she asked me about the medicine and it's effects. She wrote the name of the medicine down and said she would investigate. I never heard back from her. Cindy claims to recall the conversation when questioned by you, but she said that I told her that I was a Marine and that I was not going to take the medicine anymore. While the second half of her story is absolutely false, she does confirm having had the conversation. Her response now discounts Tom Soregeroli's story. How would Cindy have known this without Tom having told her, and after getting that information illegally from my wife. Someone is lying, and Cindy proves that Tom did come to her with that information. I respect Cindy for telling at least a partial truth. Tom was a Supervisor that reported to me at the time. He felt he was next in line for the Manager's job of the Kensington Center. When this didn't occur, he chose to slander himself after illegally drawing my wife into his web built of lies. Gerrais Gary - I know he doesn't work for the company anymore, and perhaps I should reach out for him myself. He replaced Cindy Miller and within a few short weeks, I was busted from manager to supervisor without provocation. He could not look me in the eye when he did so. I knew he was not the decision maker. He had to carry out the act. The then, Human Resource Manager, Craig Owen, upon being asked by me to furnish a written factual document for the reason I was being busted, replied "We don't do that". Is this not a company that is built on integrity? How does a manager who was being applauded for monumental gains in productivity and safety on the corporate bulletin board wind up being summoned to his demise, and not given at least an explanation? It has been almost 9 years since I was busted, and my family and I have had to endure the loss of income attributed to that demotion. Despite all, I continued to do my job. While I know that the Federal Motor Carrier Safety Regulations (FMCSR) prohibits anyone with a defibrillator from operating a commercial vehicle, a certain Division Manager felt it necessary to inform me that I had to go get DOT Medical clearance. The device is implanted to prevent against arrhythmia's that may cause sudden death. Upon shocking the heart they bring about an episode of syncope, or a blackout. Driving a UPS vehicle is not where you want to be when this occurs. When I was assigned to the Island City Division in Melville, Division Manager Jim Kirk told me to go get my DOT card. I informed him that I was prohibited. He insisted I go anyway. I proceeded to DocCare on Fresh Pond Road. I met with Dr. Bigman who denied me medical clearance. He even pointed to the verbage in the FMCSR which clearly stated that I was prohibited. Upon returning to the building and informing Jim Kirk, he told me to go to another doctor. I once again followed his instructions. I then proceeded to Dr. Ciuffo's office at 7301 Grand Avenue. Dr. Ciuffo, a long term approved UPS medical provider was not in at the time and his P.A. performed the physical. I divulged all my medical history in detail. She gave me the DOT clearance anyway! She failed to recognize the laws regarding implanted defibrillators. I returned to the building with my DOT medical clearance. I refused to operate vehicles despite having the card. With knowledge comes responsibility. Under duress, I followed the orders of yet another man who puts the needs of the organization ahead of the individual. On a separate note, upon Jim Kirk's arrival to the building as the newly appointed Division Manager, he felt it necessary to stop me while I was working and asked if I was "Queer". I didn't understand his question so I begged his pardon. He pointed to a necklace that I wore; my daughter had made it in school. It was a colorful red beaded necklace. I paid honor and respect to my daughter by wearing it. What father wouldn't? The next day he again stopped me and inquired about the necklace once again. He was in the presence of other high level management people and chose to challenge me further. He then asked if I was going to come to work with a red dress and pumps on the next day. This behavior is not exactly what one would expect from a man in his position of authority. I must mention this because of the environment of abuse that I received in recent years has become a link to the abusive household I grew up in. I have gone to therapy over the years to put down the demons of my past, only to have them brought to life in my place of business. If Jim Kirk "perceives" that I am a homosexual, then I have been discriminated against in that regard as well. I am a man of good character and unparalleled reputation; even among the rank and file union employees. I stand strong in my beliefs and always do what is right. I do for others, even at my own expense! I am an excellent trainer and consummate professional. I have a code of ethics and loyalty that has only been severed by the actions of those who I have mentioned here. I will do whatever is necessary to achieve satisfaction to my problems. I have embarked on legal measures, but have not ruled out the support of the Veterans Administration, Marine Corps, media, press, and political intervention as well. I may not be a sophisticated legal mind, but I can stand before God and explain the depth of which I have been wronged. I have the intestinal fortitude to stay the course, for I have only done one thing wrong; I got sick! I will take a lie detector test and I wonder if the aforementioned will be willing to do the same. I am seen as the source of the problem here. You need not look further than within the confines of this statement to find the smoking gun! Your choice is to either to admit it or to have me reveal it for you. I have had it with this adversarial and abusive relationship. It ends either through choice or by circumstances defined by the facts that WILL be revealed. I will tell you this though, when the day of reckoning comes, there will be bus loads of people from UPS willing to bear testimony to my character and reputation. I have the heart of a lion and the respect of many for never having sold my soul. Tomorrow I will be going to turn the plates in on my vehicle, as I can no longer pay the insurance. I expected to be paid this month, and true to form, I was failed once again. My insurance expires on Midnight of the 26th. It doesn't matter anymore since the water pump went on it this week as well. It was my home. I used it for shelter and warmth. I was going to have the water pump fixed as well. I want to thank you for once again revealing how appreciative you have been for my years of service. The eight years I spent in the Marines doesn't even make me eligible for the constitutional rights I fought to protect, and are now being denied. In the past I have heard words, but have yet to see action. I will see this through to the end for the many that have been afraid to embark on such an endeavor. Perhaps by some chance, it may be my attempt to also regulate our organizational behavior. "Doing the right thing" often goes far beyond the letter of the law. "Good morals, if they are to be maintained, have a need for laws, and the laws, if they are to be observed, have a need for good morals. I ask you and your legal department to seek truth within this whole quagmire, for in the truth lies the morality and the foundation of law! I would rather carry this through and fail than to be silenced, bullied, or discriminated against any further. My daughter Rachel, who was only 11 at the time was selected to play on a travel softball team. She was probably the best player on the team. She was minimized by a coach who had ulterior motives. Rachel was new and her daughter, along with the rest of the politically connected click treated her like an outsider. We approached the coach and she said that she would not change her game plan. I told Rachel that I would not think less of her if she chose to bow out gracefully, as she was never going to be treated fairly. Rachel looked me in the eye and said that it was a special team and that she would accept her role. If she had one at bat she was going to do her best to drive it deep. If she had one chance to make a play she was going to dive and nearly kill herself if she had to. She spent most of her time looking through the chain link fence while the other girls played. She would put her head down and kick the dirt with her cleats. Her face was sad but she had resolve. I can't tell you how many times I cried through my fingers as I covered my face, watching her pain. That 11 year old girl taught me how to have the heart of a lion. It wasn't the Marines! Rachel taught me that the strongest man in the world is the one who stands most alone. I have two other children with special needs, but you would never know that, as I never remove the mask I wear. My youngest has the same heart problem I have, and we had to invest in an external defibrillator should she be encountered with sudden death. Their father, who they have grown to love and respect, has given all he has to an organization that has fired him, but has yet to find a way to make it happen. Their love for me will stand long after I have fallen. My strength will come not from my physical capacity, but from my indomitable will. This will be revealed with the support of my "Legal Department". It realy is a shame that the truth can not be told. Why is everyone so afraid? There is nothing to fear except the refusal to find out the truth, or at least the persistent refusal to analyze the cause.

Exhibit 58

February 19, 2009

John K. Welch
109 Dovecote Lane
Commack, NY 11725

Re: Final Warning Letter

Dear John:

This letter provides a ***last and final warning*** for repeatedly failing to communicate with us during your unexpected and prolonged absences from work. As discussed below, any further instances of such conduct will result in your immediate discharge from UPS.

Background

Over the past 18 months, you have had a string of unexpected absences from the Company.

First, you were a No-Call/No-Show on July 30, 2007. When you returned from this absence, Health and Safety Manager Bob Rizzo and Kevin DiLibero met with you to remind you of the importance of communicating with the Company when you were going to be out.

On January 14, 2008, you again were a No-Call/No-Show, and then remained out of work for almost six months without providing timely documentation. Even though this absence was prolonged, UPS bent over backwards to work with you, including paying your full wages for much of this period. Again, you were reminded of the need to communicate with us during any future absences.

In September 2008, you failed to show up for work without prior warning yet again, this time remaining out for six full weeks. We did not hear from you during this entire period, and rather received one lone telephone call from your girlfriend, claiming that you were being hospitalized. Business Manager Dave Mazzola urged your girlfriend to have you contact him as soon as possible to update us on your condition, but Mr. Mazzola never heard from you. Despite this failure to communicate, UPS again paid you for much of your absence. Again, you were reminded of the importance of communicating with us when and if you were going to be absent from work.

Recent Unexcused Absence

It is against the above backdrop that we review your most recent No Call/No Show. On January 5, 2009, you failed to show up for work and did not communicate with your supervisors. The only communication UPS received was from your girlfriend, who claimed you were being hospitalized at a VA Hospital with no access to telephones and no other means of communicating with the Company. In fact, the available documentation shows that you were not in the hospital on January 5, 2009, and rather that you admitted yourself the next day. You were released from the hospital on January 9. 2009, yet failed to meaningfully communicate with anyone at UPS for almost two full weeks after that date.

While UPS has been extraordinarily patient with you in the past, and has given you the benefit of every doubt, we cannot tolerate communication breakdowns of this nature any longer. Attendance, reliability, and accountability are hallmarks of the job you hold. If you cannot make it into work for any reason, we need to hear from you personally and promptly and need you to be in regular contact with us while you are out. Should you be absent in the future without properly communicating with us (including with your direct supervisor), or should you fail to provide sufficient documentation to support the entirety of any future absence, you will be subject to immediate termination, without further notice or warning.

If you have any questions, please feel free to contact me.

Sincerely,

Daniel Minesinger,
LI District Human Resources Manager

DM:gv

Exhibit 59

The recording begins with the sound of me walking from the car to Applebee;s on Rte. 110, Farmingdale. I arrived late because I didn't know where Applebee's was.

John – Sorry, I went all over the place.
Dan – I thought you were like a neighborhood guy here?
John – Not around here.

Garbled conversation en route to our seats....

Dan – I figured it would be a good landmark, across the street.
John – I guess I didn't get out much.
Dan – There you go.

Dan- Conversation with waiter.

Dan – What's going on?
John – My world is coming apart at the seams.
Dan – Really....
Dan – The last time I spoke to you was in my office....April.....May.
Dan – You told me about the situation that happened at, what, your sister's house? (Her house was robbed)
John – Yeah...
Dan – The intruder....
John – But uhm...
Dan – So, what has happened since then? Where were you working then?
John – I was in Safety.
Dan – Doing CHSP (Comprehensive Health and Safety Program) in Melville.
John – Yeah.
Dan – So what happened after that?
John – Uhm, well...

Dan Conversation with waiter........

John – Well, I was in Safety....like when the end of the year rolled around...
Dan – (Interrupted me) Now were you doing Safety, or CHSP in the Melville Division?
John – CHSP
John - .....and then at the end of the year.....
Dan – (Interrupted me again) So basically, you worked for Jimmy right? (Jim Kirk)
John – I don't think he was there at the time.
Dan – Weiderhold was still there at the time? (Steve Weiderhold)
John – Steve was still there.
John – So, Mike Ridolfi said that I had to get clearance to work excess hours, but my doctor's would not give that clearance.
Dan – Were you on restrictions then?
John – Yes.

Dan – What, were you on like 8 hour restrictions?
John – Yes.
John - ….So then….when I didn't satisfy that, they sent me home.
John – So, I didn't get paid for……
Dan – (Interrupted me) did you have the right medical documentation….when you were out on restrictions.
John – right now I have 300 pages of medical documentation…..this thick
Dan – So, why would they….why would they send you home.
John – Because they said I needed to work excess hours, and I needed to work more than 8 hours……and there is a note saying that I was at considerable risk for sudden death, sent by my doctor….
Dan – What brought all this on? I thought you were doing the CHSP stuff in Melville, I don't understand. Wasn't everything going o.k.?
John – Yes.
Dan – You were doing your job. There were no problems?
John – Yes.
Dan – So, what was it that triggered that all of a sudden….(stopped thought)…. and Mike Ridolfi said you had to work excess hours?
John – Yes.
Dan – So, then what happened?
John – I was out from January to May 3rd of last year.
Dan – So, that's when I had to see you…… when you first came back.
John – Yes……from January to May 3rd I was out. They stopped paying me in April. So, I didn't get paid for the month of….
Dan – So, what was the reason they stopped paying you? There has to be a reason?
John – They said I had to appeal it, so I appealed it and the appeal was denied.

Dan – talking to waiter

Dan – So, May 30th, was that when the six month's was up.
John – No. No….The six month's would have gone until July.
Dan – Because you didn't go out till January.
John – Right –January 22nd.
John – So then…
Dan – (Interrupted me) So, the reason you went out was because something happened at work?.....Your health took a turn for the worst?
John – Yes, Uhm…I had to go Uhm…Well, actually…I had a procedure coming up which wound up not having gotten done, and I didn't even call in a disability. I didn't even request to be on disability from January to……
Dan – So, how did you wind up on disability?
John – They said I couldn't work until I had a note saying I was free to work those excess hours. The doctor said they wouldn't give it to me. So then….
Dan – (Interrupted me) Had you been on restricted hours in the past?
John – Yes.
Dan – Like in 2007…..

John – In 2005, I was met with Alma Franco, this was when I originally got the note, you know....saying you are at risk..... and Alma Franco filled out the ADA request, American's with Disabilities Request.... and I filled it out, and Kevin (Kevin Dilibero) you know..... ushered me into the Safety Department to replace Bob Marini who was going to Menlo Freight Forwarding (A UPS Subsidiary)....and I was then going to...he said, "No problem John" you should be working from 6 am to 2 pm, and that I should have no problem doing this, and that went well. Then I was put on the Nassau Preload. When I was on the Nassau preload.....
Dan – That was last year...?
John – Yes.
Dan – You worked for Jimmy in 2006 in Island City (Our Maspeth facility) doing CHSP.
John – And then in April of 2006, I fell on the preload...
Dan – In Island City or...
John – In Nassau
John – Then, Mike said, We are going to have to contact our legal department. That's all he said..."We are going to have to contact our legal department....I said, what are you talking about? I just fell and hit my head because I was dizzy.
Dan – This was who, Ridolfi?
John – Yes.
John – So, from there, he said I was going to have to fill out a new ADA request. I said O.K.

Dan – Talking to waiter about food.

John – I said, why do I have to fill one out, I filled one out already with Alma. He said, "We dropped the ball on that one". See, like, when they have people meetings (Career Planning), your file should be like a red flag. It should say "ADA".....but It didn't, because the ADA process was not followed...
Dan – (Interrupted me) Your saying that your ADA paperwork was handed in and approved. Did someone tell you that there was a time limit, or it was permanent.
John - I never heard another thing after filling it out with Alma.
Dan – Who informed you that you were approved for ADA? Was it Ridolfi, was it Alma?
John – Mike. He said it's an approved, you have an approved disability.
Dan – Is it then when you were assigned the CHSP job.
John – Right...then about 11 months later they put me in the Nassau Preload. That's when like in April of the following year I blacked out. Then I told Mike when he was coming in that day, and he said....We are going to have to contact our legal department. I am an officer in the company.....he said. I was like...oh...OK. So, they put me back in Safety in Melville once again. That was....
Dan – Was that last year?
John – Yes. And then until January they kept me in that capacity. But then Mike came to me at the end of the year and said, "the clock is ticking". I said, what do you mean? He said, you are on restrictive duty. You now have to provide proof that you can work excess hours. I said, I can't because the doctor's won't let me.....even if I asked them to....

Dan – (Interrupted me) So he tells you that the clock is ticking on your six months towards short term disability? Then you would have to go on long term disability.
John – Right.
Dan – Is that what he meant?
John – Probably.
Dan – Did you ask him to clarify that, I mean that's like....
John – He told me the clock was ticking and that I was considered as being on disability. He said working on restrictive duty is considered on disability. I said, well, why should I work? I did my job from June to December.
Dan – That seems bizarre because you are either on restrictions and you have medical docementation,you were in CHSp....It's just like with drivers....you are either on TAW (Temporary alternate work) as a driver, but there is a timetable that says you are approved through this date and you may have to be reevaluated and provide medicals.
Dan - Did you know that you had to provide medical documentation by a certain date?
John – No.....I figured...the six month's.....No... I was working, so I didn't know that I could be classified as being on disability at the same time, but apparently restrictive duty is similar to being on disability.....which I didn't know.......so they put me on disability from January 22nd to like June 3rd or whatever.
Dan – Now you are out on short term disability?
John – Right.
Dan – Now what happens?
John – They didn't pay me in May of last year. (2008) Then in uh.....
Dan – Well, why were you not paid in May? They had to tell you why?
John – They said, not sufficient medical documentation to support......
Dan – Well, you go back to your doctor and tell him they didn't pay me....
John – I did provide notes. Then uhm...in the summer, a couple of months later I get diagnosed with bipolar disorder and I spent....
Dan – When was this now?
John – In August. Then they put me in the VA for three weeks and then when I came back to work....there was still another month I was not paid.
Dan – When did you come back to work after the three weeks?
John – I went in on August 26th, and I came back like November 3rd. They had to stabilize my medication.......they had to...
Dan – You were out at the end of August, September, October, and you came back November. Is that what you are saying?
John – Uhm.....Yeah. It was like September and October, and....It was two full months. There was a few days in August and a few days in November.
Dan – So when you came back to work in November, how did you get classified? What was your status to come back to work? Did your doctor clear you?
John – He cleared me for 9 hours.....but I never spoke to him. The nurse spoke to him.
Dan – You never spoke to your doctor...
John – Nope.
Dan - ....and he cleared you for 9 hours?
John – Yep.

Dan – Did he examine you?
John – No.
Dan – You know more about CHSP then I do. How can you be cleared to work without examining you?
John – I have no idea. In fact, I tried to reach him, and he's not there anymore… that doctor. I was cleared on every level except for the sleep apnea. I have sleep apnea, I have restless leg syndrome, I have a heiatal hernia, I have the heart disease…..now I have bipolar disorder and I have a thyroid problem.
Dan – So ….Do you have a primary care doctor.
John – Yes.
Dan – So why wouldn't your primary care doctor, going back to November, before you were cleared to work, why wouldn't your primary care doctor be involved in coordinating things? You have all these multiple things…..One doctor should ask…..Is this guy good to work?
John – Well, I went to Dr. Hershey, the UPS Doctor…..and he put me back to work.
Dan – Did he put you back to work with restrictions?
John – Yes, no lifting over 40 lbs., no repetitive lifting, and no excess hours….you know…over the 9 hours.
Dan – So he put you back with some restrictions and the 9 hours, and this is the UPS doctor….
John – Yes
Dan – Now you come back to work and then what happens?
John – I came back in November and I was doing the clerks and then they put me on the preload.
Dan – They put you on the clerks, where…..in Nassau?
John – Yes. Then they put me on the preload.
Dan – When did you start on the preload? In 2008?
John – Yes….during peak.
Dan – During peak?
John – Yes, it was right around thanksgiving.
Dan – And you get assigned to the preload, what are you doing?
John – PD 12…..the dog house in the back.
Dan – And what is that? Where they do the air…..the small sort there?
John – Yes, Correct.
Dan – So, you are doing that, and now what happens?
John – Then…..I worked through the peak season. Then on January 13th, I was scheduled for a heart surgery. They are finding arrhythmia's in my left atrium. Which this disease I have…..they put a monitor on me….
Dan – Yeah, I know you have a heart issue for uh….forever right?
John – Yes, unbeknown to me until my adolescence. I am having arrhythmia's in my left atrium where they go undetected. but the defibrillator I have does not have leads going to the left atrium, so if I have a like a fatal heart rhythm, I'll be unprotected in the area. So that in perspective terms, like the family history, things of that nature and just the illness and how it presents itself in my family,…..so they scheduled me for an ablation. So they scheduled me for an ablation, Well….an ablation and an EP study. An EP study is an electrophysiological study. They will go in there, shock your heart and create an

arrhythmia. Hopefully to bring on an arrhythmia that will provoke sudden death and then in the process of doing that, they determine where the heart is misfiring......what nodes are misfiring, and then they can shock...burn those areas, or surgically scale them down.
Dan – So that will cut off that happening again.
John – Right. Or to do like an alcohol ablation. Put pure alcohol in, and that will create a controlled heart attack, and that will thin the heart wall. So, I am scheduled for the 13th. You know.... the surgeon called me up immediately after I transmitted my data, because I transmitted remotely over the phone.
Dan – And when was this.....the January procedure?
John – Right. He didn't know there was a problem until I transmitted my data. So, he says come on in...
Dan – When was this....after Christmas....before Christmas?
John – I think it was..........

Interrupted by waiter.....

Dan – **(Speaking of the food he ordered) This is like......my wife would kick my ass......**
John – You got your own issues.
Dan – Yeah.
John – Don't we all. Our Genes are a blueprint to your life.
Dan – You got your good and the bad. You take it as it comes and you do what you got to do.
Dan – When was it that you transmitted this data to your doctor?
John – between Christmas and New Years.
Dan – Ok
John - Then he calls me to come in, so I went in there like on the 28th or something.....and he said we gotta do this. The surgeon aid....we gotta do this. He scheduled it for the 13th.
John – Prior to the 13th, I had a bipolar episode....high's and lows....not sleeping. I went to the VA. They put me in from January 5th to the 9th ....to regulate my medicine.
Dan – Now when this went on, were you communicating with work?
John – Uhm.
Dan – Let them know you are out of work, what's going on, did they require any documentation?
John – Well, when I went in on the 5th, I didn't know I was staying there. When I got there....there was no communication. They take everything from you. In the psychiatric ward......but I had people call.
Dan – Let me see if I follow.....Between Christmas and New Years you transmitted your data, and the doctor sees something of concern, so he has you come in. Then he decides that we gotta do this right away, and it is scheduled for the 13th. So between Christmas and New Years when you go to that appointment, does he put you out of work?
John – Did he?.....No.
Dan – So you are still at work?
John – Yes.

Dan – Now…..You are working like the Friday January 2nd …. After New Years and into the next week you are working.
John – No….on the morning of the 5th….like 2 am….
Dan – You are at work?
John – No. Because I don't work preload anymore….
Dan – What time……what hours are you working?
John – At that time….they were putting me back to the clerks after the peak season.
Dan – So you are working like PM?
John – Yeah. So I wouldn't have to be until Monday evening. And then I had the episode…
Dan – You are at home when this happened?
John – People were so concerned that family members had called the police because they thought I was going to harm myself.
Dan – In the middle of the night?
John – Yeah….because I had gone….like a couple of days without sleep.
Dan – What's this from…..the anxiety because of the surgery?
John – I think so…..I think partially that.
John – But uhm…so now I had no choice to go get evaluated because the police were going to find me anyway.
Dan – They were going to find you?
John – Yeah, I was in my car. They thought I was somewhat dangerous to myself.
Dan – Just because of what happened on the 5th?
John – That and because of a few things I said to my family, like….you are going to miss me. So, they though I was suicidal….. which I am not, but I just felt like hopeless. So, I uhm….just went to the VA…..and they kept me there from the 5th to the 9th to stabilize my meds.
Dan – Now did you tell them that you gotta communicate to work, I gotta let them know where I am?
John – Yeah….well, I had my girlfriend call. She spoke to Dave…
Dan – Dave?
John – Mazzola.
Dan – Who you were reporting to at the time?
John – Yes, I was assigned to 1181. Now, Dave, in the past has denied being contacted by me, but I have phone records.
Dan – Cause I know Mazzola is fucked up too but…..
John – I have phone records from the last time I went into that unit at the VA…..and Dave said he was not notified but I printed my phone records and put it under Steve's door, just as a subtle way to say, you know, I did contact him…..I didn't make a big deal out of it….just a subtle way of saying…..
Dan – Now your saying that when they put you in the VA hospital, your girlfriend contacted Dave.
John – I contacted Dave numerous times.
Dan – At work?
John – On his cell phone.
Dan – He took the call?
John – Yes.

Dan – What did she tell him?
John – She said that I was in there, and it was unknown how long I was going to be there, and uhm….she would keep him posted.
Dan – So, now what happened next?
John – I get out on the 9th
Dan – Do you call when you get out?
John –I think I sent him uhm…..I sent an e-mail to Irene. Irene told me not to send anything here (to UPS) send it to Aetna. Communication has to be between you and Aetna, and not you and me. She doesn't want to be like an extra leg in the process.
Dan – So did Aetna again put you out on disability or?
John – Yeah.
Dan – Did they?
John –Yeah.
Dan – SO you are out on disability, and were you having this procedure on the 13th?
John – No, the Director of Cardiology, whom I have known for 12 years felt it was too uhm, he said that my heart would not tolerate it. He said it might be something we need to do down the road, but he feels at this time he wants to rule out all other options, that perhaps there is a secondary heart problem, or perhaps a link between the, you know the anxiety and the elevated heart rhythm.
Dan – Did he then tell you were going to stay out of work?
John – No, but the discharge doctor of the Va said that I need …..before returning to work, I need to get clearance from Cardiology and the Psychiatric Team at the VA.
Dan – Did you do that?
John – I got clearance from the Psychiatric Team at the Va yesterday, uhm two days ago. And then yesterday I went and got all the notes from the records department. They printed the notes. There is like 300 pages of notes…..
Dan – Where now…..the VA.
John – The VA.
John – The cardiologist…
Dan – While this is going on, this is like January 29th now, while all thisis going on are you in touch with anyone at UPS except your conversation with Irene?
John – No.
Dan – Are you officially out on disability?
John – Yes.
Dan – You are on disability?
John – Yes.
Dan – And who put you on disability?
John – Aetna.
Dan – And you have a disability claim number?
John – Yes.
Dan – So, then what happened?
John – So uhm, I just need to get an official note from my doctor, like my doctor sent a script note, like ok to go back to work, uhm…..Letter will follow.
Dan – And this is you PCP?
John – No, the cardiologist.

John – But I went to him also on Thursday of last week.....just to come up with a game plan as to the future....as to what was going to happen......because my defibrillator is also at the end of it's life, so we are going to have to get it replaced. So, that is going to have to be another slice and dice of the chest to take that out....
Dan – When are they going to do that?
John – Within the next 3 month's.
Dan – So, now the doctor tells you that, and your out on disability...so.....We always talk about people at the end of the year and assignments....you know the staff talks about who is going where...so you talk about everything. You know your name may come up in a couple of conversations....what your status was, and I guess it was unclear. And the other day, Kevin Dilibero grabbed me because you sent him an e-mail?
John – Yes.
Dan – I guess he was a little concerned about the e-mail.
John – I was emotionally charged because this is now $30,000 dollars I didn't get paid in less than 8 months.
Dan – What happened with you pay? You are out on disability.....Aetna is responsible to make sure you get paid.
John – Do you know what Aetna told me to do?.....Call UPS. They said, Call UPS.
Dan – I am just telling you my experience. In January and February of last year I was out on disability. Aetna gave me a claim number , a disability packet, I had a case worker assigned to me......with any questions I called them....they called me about my pay. They verified that I got my pay ok. They had a check....that's why they have that.
John – I just got my packet in the mail yesterday.
Dan – How could you let that happen? You should have been on the phone with them the second.......
John – Yeah but, in the past when I had this incident where I wind up like momentarily in the hospital, the nurse would call up and initiate the claim for me.....But I guess I had to do that.
Dan – Of course, you gotta initiate it....
John – I don't know why it stopped immediately (My salary....usually it goes until it is determined....
Dan – The only way it would mess with you pay is if you hadn't provided the proper documentation. You are the CHSP guy. You know that. I see this type of shit all the time. I am out of work....I am on comp....You provide the right notes.....and once we see what your restrictions are, we may have TAW. It's the same for us. You know.....I was fighting with Aetna because I wanted to come back to work.....and they let me come back to work....but there is a whole process that you have to communicate.....and you have been through it. You as the CHSP guy knew more about it than I knew from Aetna. I want to be cleared to go back to work ok? Go see your doctor. Describe to him what the work would be like, and if he approves you, he has to send us a fax that he approves you to return to work.
John – Right, right.
Dan – I notified Aetna. Aetna notified UPS. I am in touch with my boss' boss just because it is the right thing to do. I got the letter, I sent a copy to Aetna. I should be

back to work on Monday, I bring a copy of my note. The process works. I don't understand where the disconnect is.
John - How do you wind up in all of this mess?
Dan – Two reasons….#1 – I have known you a long time and I want to see what is going on with you….. And # 2 – In a somewhat formal capacity, when the District HR guy comes to me and tells me he just got an e-mail and I'm kinda concerned about some of the content in the e-mail
John – It think it was somewhat overboard, but I was emotionally charged
Dan – When you send something like that in a formal venue on an e-mail, it has your name on it, a time, and when it comes to the District HR Manager, it is not the time to blow off steam…..and to, you know,….dramatize….you know. I think you are smart enough…
John – Well, it's been like, I've never not…I have always been the guy that someone comes to…..the guy that always tries to do his best. I made allegations about things that have been said and done to me…
Dan –Allegations or are they facts?
John – Facts!
Dan – You know, you know how it works….and I go through this all the time on my job. As soon as I make any accusation about somebody, that they are stealing, they are this – they are that…. I assume the role and responsibility of the prosecutor. So the burden of proof is on my shoulders…so when you make accusations, and I don't know what they all are. They have to be proved. They have to be substantiated. Whatever they are….uh….can they be connected to….
John – I believe they can be verified.

Went to the salad bar at this time………

Dan – Got your broccoli?
John –Yep…..not too bad.
John – You know what I want?
Dan – I didn't read into it….Kevin told me the bottom line in our conversation. I said, you know what….I have been meaning to give John a call anyway. Let me reach our for him.
John – If you want, I'll forward it to you.
Dan – So, did someone from HR, or Kevin tell you they stopped your pay? Did Aetna… What happened? How did you not get paid?
John – They said call HR.
Dan – And did you call HR?
John – No, I sent that e-mail.
Dan – It probably wasn't the wisest choice right?
John – So what do I do in the morning about these bells and whistles?
Dan – So what do we do now?
John – I guess everything I need to get to Aetna, I have to verify everything. In fact, I already faxed them over a few things with some supporting documents. I had 30 pages and wanted to send it overnight, but they have a P.O. Box number…..so UPS won't deliver to P.O. Box's.

Dan – Call and get their address or fax..
John – I did, I called today and told them I'll fax it….
Dan – Get me an address and an authorization number and I'll send them what I got to send them.
Dan – This isn't me, or the District Security Manager telling you what to do, but I think personally, it will be in your best interest that you in various degrees, that you regret some things that were said in your e-mail! (I don't regret anything I said because I said nothing wrong. I stated the facts and that I would hold Kevin Dilibero accountable to treating me fairly)
John – Well, I talked about my daughter, I talked about my military service, and things that were not relative, but….
Dan – I remember reading up on it where you didn't mean anything intentionally, but you know UPS…..like the things you are capable of, and that you never met someone like me in your life…Things like that are like…Whoa….wait a second. I don't think that is what you meant.
John - No, I was talking about my spirit….My willingness to see things through, not succumbing to pressures..
Dan – Dan Daly being a person who knows you and being the District Security Manager, you might want to think about clarifying things…..that you might have been a little overzealous. Maybe you didn't clearly communicate. I'm not saying don't go after HR. There may be things that you need to take care of…..whatever. You have to take care of your insurance….you have to meet requirements……like anybody else. Like I did last year. Everything else.
Dan – You still need this job right?
John – Everyone complains about this job, but no one leaves it.
Dan – laughed.
Dan – There are a ton of Wall Street guys who were making a great living that are lined up outside our door for a UPS Driver job. I told all the drivers in Foster Avenue that this morning. Two hours over, they don't do their job. They leave their clerk work on the car….they think that's ok? Two thousand more people lost their job this week between Monday and Wednesday around the country. These guys think this job is a fucking joke!
John – It's scary.
Dan – Is your doctor….are you free….do you have the right documentation?
John – I have the notes from the doctors at the VA, but I have one more doctors not on a script that was scribbled "letter to follow". So I have to call him to say, I need the letter.
Dan – You have to have A) The right justifiable medical reason and documentation for being out of work, or B) which is more work….are there any restrictions or anything like that….that's that. You have to get with your doctor and get that.
John – How long were you sitting here? Sorry about that.
Dan – Half hour.
John – How are you making out? (Dan was diagnosed with cancer the previous year)
Dan – I have been very lucky. When I started I was in bad shape.
John – Do you look at life differently?
Dan – Not overly….I am not consumed by it, and I know I have a high propensity for it to come back. You know, but I am doing everything I can do….since the

beginning. I'm exercising, eating and drinking and doing all the things I am supposed to do. Now the rest is in God's hands. What are you going to do? That's the bottom line.

John – All you got is today!

Dan – You gotta live your life.

Dan – So what's going on? The last time we spoke, you were going through a real bad way with....I don't know if it is your ex- wife.

John – It's over.

Dan – Now did you guys come to some amicable thing, or is did she just try to have her way with you.

John – I had a lawyer that I paid 15 grand to who never showed up to court. A highly recommended lawyer, like a barracuda in court. Something went wrong with him. Something went on with him. He came in like a bull and then vanished. I knew I was in trouble when his office number was disconnected. I called the Suffolk D.A.'s office, and in three days I got a called from Detective Berger. He picked him up for taking my retainer and utilizing it elsewhere.

Dan –Eventually they get caught.

John – Other clients as well.

Dan – Are you going to trial and pressing charges to try and get your money back?

John – I have been trying for over a year.

John – Today I think my phone got shut off. It stopped making outgoing calls. I tried calling you back.

Dan – That's strange. They either cut your service completely or...

John – Then uh...I had to bring my plates in because I couldn't pay the insurance. It's been hard.

Dan – I know you have been through a lot, but you are a military guy, and you wear your heart on your sleeve, and your honor and all that stuff.....

John – I would rather fight a Battalion of VC than to deal with powerless situations like this one.

Dan – Don't let yourself be powerless. You are real smart guy, you have military background training. You have a doctor that hosed you, you have a lawyer that hosed you. Stop being picked on.

John – I would like to be a Manager again at UPS...you know.

John – I don't think that I will ever be perceived as someone that is eligible.

Dan – You certainly can't be perceived well with what is going on now. You gotta be able to manage these situations. You gotta be able to manage your own communications with your insurance company. Manage your communications with your employer. What I'm seeing, not having being involved directly....I know some based on the conversations we have had. You are not managing it well. UPS is a great company. They don't deal with anything that is away from business. That's why we are a great company. That's why we are not throwing thousands of people onto the street because our revenues are down.

John – Is it going to get to that?

Dan – We are taking extraordinary steps. We have lay off lists for drivers. We have extra lists. I told all the drivers in Foster Avenue that 21 drivers....we didn't have work for them today.

John – Yeah, but you have 61 guys trying to go home.
Dan – In fact I had to pull one of them back. We laid off too many people.
Dan – Dileo has been out of work forever…
John – He's a character.
Dan – My recommendation, John,….get a hold of your situation. Notes, medical, communicate to Aetna, get a hold of HR….maybe get in touch with Irene for the right guidance, and my personal recommendation is that you might want to drop Dilibero an e-mail to verify that you came across overbearing where you are coming from. I don't know what your official status is right now. I don't know if you are on disability…
John – I got a claim number

Dan answers telephone….
Phone conversation…
Answers phone - Dan Daly
Yeah…everything's fine.
Yep.
Uh, yeah….I'm actually across the street. I will be over at Melville probably in about 10 to 15 minutes.
Yeah….but don't wait around.
Yep….I'll give you a call.

Dan – I don't know enough about it, but I know enough about it in general that it's your responsibility to get your doctor to get everything in order, maintain communication with your status, this and that, falls on the person.
Dan – I remember I was short of breath. I just found out I had cancer, and I went up the block to make sure I faxed them my stuff from the stationary store. You know.
John – All I want…. Is peace in my life, and a lot of it. Things keep plaguing me and plaguing me.
Dan – John, I know you have had it tough. I think you need to stop the woe is me. I know a lot about GPS in my personal life, and I am sure you do…..but I will tell you something personal which I shouldn't….about Chip Napier….the District I.E. (Industrial Engineering) guy. Here's a guy who got divorced from his wife in Detroit before he left. Here's a guy that had already moved 4 or 5 times. Chicago to Detroit….good times then, nice big house. His wife divorces him…took all his money. Pulled every bullshit move in the world. He came here and the ass falls out of the market. Everbody has concerns. No one is sitting on the fucking side and saying awwwe let's feel sorry for John.
John – I don't want to have the word victim written across my forehead. I want the word victor instead of victim.
Dan – I think you control that.
John – Well….be prepared….I don't want to go down with this blow for blow.
Dan – Yeah, well….you have to take control of this situation.
John – No but this is far from over. I don't want to be a dart board.
Dan – What do you mean by dart board?

John – Not being different, I might as well, ……uh….I sought support from outside of the organization.

Dan – I don't know anything about this? Do you mean like legal action against UPS? Are you in the process of legal action against?

Dan – It has to be either yes or no…It's like being pregnant.

John – Well, I made a complaint.

Dan – One second you are there….you look me in the eye….you say you want to be a victor and you want to be a manager at UPS, now it paints a different question when you say you have pending legal action against….you say you may have….was the complaint job launched….was a complaint called in to the corporate complaint line, or got an attorney that put a B offer in…handled them through your….through an attorney?

John – Through an attorney.

Dan – That's a different arena………..I don't really even want to know what's going on.

Dan – You know we get served up from the EEOC that says the attorneys from one of your employees….and it could be a part-time revenue recovery person, it could be a you know….once the EEOC is served up, UPS is going to protect itself. You know we would. I don't know what was specifically said in your complaint, but on what specific grounds were your rights violated?

John – Mostly related to my rights being violated under the guidelines of the Americans with Disabilities Act.

Dan – So the next thing you do is go into your pocket and ask every department for documentation, communication, status, you name…..and if that was taken away from me, then I would probably do the same. You are the only one that knows the answers to that…..besides making UPS involved.

John – Who told you to go….(Inaudible)

Dan – But why aren't we?

Dan – And again….I don't know. I have not been involved in your classification, communication, requirements, and what have you. Either it is or it isn't. If it is, then it was Jim Kirk's decision. You gotta look out for John Welch. If it isn't, you have to get Goldstein and substantiate it on grounds. You can't go through it with the depth of a suit against the organization. You have to decide.

John – This isn't just something where I was just shooting in the dark. When you are told by your employer that you are going to be terminated.

Dan – Yeah, but based on what? You gotta give me good documentation by this date whatever, or on some grounds we terminate people that don't meet their requirements of documentation…there isn't everbody hanging out there. You know, the burden is on you to provide me with appropriate medical documentation that can substantiate you status, whether it be medical, psychological……

John – I was due back yesterday.

Dan – So your documentation is there…your doctor said you are good to come back to work, you can be put back to work, you meet mid-level requirements.

John – I have to call Irene to see Dr. Hershey.

Dan – I would suggest that you call her, like this afternoon. Make sure she knows what time of the day you can see him. Tell her you have catered to them, you are on disability, Aetna is not giving you what you need.
Dan – This is your only means of employment right now….right
John – Even the Marines don't want me anymore.
Dan – I am sure the Marines would love a guy like you.
Dan – You gotta take care of John. Nobody else is going to take care of you. You can't count on favors, don't count on preferential treatment, don't count on being approved, don't count on anything. We care about our people. Don't you kid yourself.

Inaudible two way conversation…………

John – There is this one guy who has basically made a living out of going on comp.
Dan – We are throwing them out the door left, right, and sideways. (Talked at length about employees who are out the door…naming each of them)…..after inaudible conversation….That's what I would do. I would get with Irene……What do I gotta do? Tell her, I went to my doctor….he gave me a note that said he's gonna give me a note, should I fax it? Should I have it dropped off at the building? What do I need? Tell me what I need…….Now I highly recommend you drop an e-mail to Kevin, and I am not telling you what to say, but from what you told me can be used in turn….particularly when you said "you don't know me"…… and I don't think that is what you were trying to imply, but it might be in your best interest that you might want to clarify things. The other stuff…..you got to consider….
John – I feel like I can use somebody in my corner.
Dan – You got to have someone realize…..not having the right status….the fear of consequences….documentation of doctors…..am I in work, am I out on disability? You got to have notes,…..this is your livelihood? Well, you got to, I don't want to know the details. You need to be all on rock solid ground….drop it right down …..you gotta do what you gotta do. I'm not going to advise you one way or the other. If you don't, you are throwing shit at the wall. Having an EEOC out there that you now have to defend, spending thousands of dollars giving it to an attorney…..isn't going to put you in good space…..and that's not going to be the type of person you would probably say…."Let's then go back to keeping this person around". It's like anyone else….anywhere you may work…

Inaudible……….

Dan – You got my cell number….They have been calling me for like a half hour now. They have been waiting for me….I got to meet my guys at 1:30. Do the right thing. Take care of your business. If you got something on your mind, you got my cell number.

Walking to the car…..

Dan – ok man….you take care of yourself alright. Please give me a call….Youknow you have had a bad fucking ride…a lot of bad shit happen to you. Make a decision….stop being the victim. Get focused on what you got to do. There's things that are important to do right now….and make sure you do it.

John – Ok….thanks partner.

As an added

Exhibit 60

Gordon Irene (MCK4KQV)

From: dilibero kevin (wne2kxd)
Sent: Monday, February 02, 2009 11:06 AM
To: Gordon Irene (MCK4KQV)
Cc: TRANDIAK DOUG (CNY1DXT); MINESINGER DANIEL T. (san1dxm)
Subject: FW: Letter

Irene, we want confirmation of his hospitalization. Time of his admission and release, plus where he has been all this time without a valid medical excuse.

REDACTED

REDACTED

From: John Welch [mailto:nymarine1@yahoo.com]
Sent: Friday, January 30, 2009 3:28 PM
To: dilibero kevin (wne2kxd)
Subject: Letter

Kevin,

After having met with Dan Daly regarding the letter I sent, I feel it is necessary to clarify something. I did mention that perhaps you have never met someone like me, and that I would hold you accountable, and by saying this I do not mean to infer anything but through a peaceful, legal, and professional platform and approach. This situation has grown out of proportion, not because of my response to it, but rather the poor response from an HR perspective. I would not have to take this approach, had someone merely addressed my issues. With nowhere else to go, I have been led to believe that either my issues were not worth addressing, or my value to the organization has been diminished. The many issues of discriminatory comments and behavior that I brought forward needed to be addressed. Instead, I am standing alone with only my intestinal fortitude and dedication to reveal the truth as my sole support.

John

IRS Circular 230 Notice Requirement: This communication is not given in the form of

The information contained in this e-mail message is intended only for the personal a